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Report of the Working Group on the Universal Periodic Review*

Bahrain

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Bahrain was held at the 1st meeting, on 1 May 2017. The delegation of Bahrain was headed by the Assistant Foreign Minister, Abdulla bin Faisal Aldoseri. At its 10th meeting, held on 5 May 2017, the Working Group adopted the report on Bahrain.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Bahrain: Cuba, Ghana and Japan.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Bahrain:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/BHR/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/BHR/2 and Corr.1);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/BHR/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Slovenia, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Bahrain through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation informed the Human Rights Council that the universal periodic review provided a chance to highlight the achievements of the kingdom in advancing the promotion and protection of human rights, including the right to development. Those rights were realized in the framework of a reform-based approach pursued by the king.

6. The Government had dealt positively and responsibly with the recommendations made in May 2012, during the second-cycle review of the kingdom. Of those recommendations, 145 had enjoyed the kingdom's full support.

7. On 6 April 2017, OHCHR had issued a corrigendum (A/HRC/WG.6/27/BHR/2/Corr.1) to the compilation on Bahrain — five weeks after the issuance of the original document. The compilation had included false information, some of which had been attributed to United Nations agencies and bodies. However, that information had not correctly reflected the kingdom's achievements and developments. Among those achievements was the success of the national dialogue that had led to agreement on basic proposals for constitutional amendments aimed at enhancing the competence of the legislative authority.

8. The public had been informed about the upcoming universal periodic review, and the national report had been prepared in consultation with civil society and the national human rights institution.

9. Law No. 52 of 2012 had amended some penal code provisions, including the definition of torture in articles 208 and 232, which had been revised in a manner that legally protected human dignity. The Law stipulated that crimes of torture were not subject to the statute of limitations, which affirmed that impunity did not exist in Bahrain. Legislative

decree No. 42 of 2002 and its amendment of 2015 affirmed the rule of law, the independence and integrity of the judiciary and the provision of fair trial safeguards, including the right of defence. Law No. 17 of 2015 on protection against domestic violence had been adopted, and Law No. 26 of 2014 on the establishment of the national institution for human rights had been amended by legislative decree No. 20 of 2016. Law No. 26 and its amendments affirmed the independence of the national institution and its alignment with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Royal decree No. 70 of 2014, amending some provisions of legislative decree No. 5 of 2002, had been promulgated, approving accession to the Convention on the Elimination of All Forms of Discrimination against Women and reformulating the kingdom's reservations to the Convention.

10. Regarding national protective mechanisms for human rights, Bahrain had adopted constitutional amendments in 2012 that affirmed the competence of the elected Council of Representatives and amended the regulations on the appointment of members of the Shura Council. Bahrain had strengthened capacity-building for the executive branch, the judiciary and civil society, and the role of the Supreme Council for Women, which undertook numerous activities in accordance with well-considered plans, including the national plan for the advancement of Bahraini women (2013-2022), which promoted the empowerment of women economically and politically. In cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Princess Sabeeka bint Ibrahim al-Khalifa Global Award for Women's Empowerment had been established. Also established were the Office of the Ombudsman, which could deal with complaints, the Special Investigations Unit and the commission on the rights of prisoners and detainees.

11. The freedoms of expression, assembly, association and demonstration were safeguarded by national legislation. The exercise of those rights necessitated that the rights be regulated by the rule of law and respect for human rights; such rights could not be an excuse to use violence, to assault individuals, to attack private or public property or to ignite sectarianism or hatred.

12. A prize had been sponsored under the name of King Hamad Bin Isa al-Khalifa and administered by the United Nations Educational, Scientific and Cultural Organization (UNESCO). The award contributed to the realization of UNESCO objectives and policies and the Sustainable Development Goals, as well as to the implementation of educational, pedagogical, religious and media programmes to promote the values of moderation and tolerance and to combat any speech that incited violence, terrorism, religious hatred, sectarianism and racism. In addition to its achievements in educational services, Bahrain was advanced with respect to the medical care it provided for citizens and for residents, and had achieved the best health statistics at both regional and international levels.

13. Bahrain had designed a number of national plans and strategies that guaranteed and assisted in the promotion of human rights at the national level, for example the government programme of action for the period 2015-2018, entitled: "Towards the justice, security and well-being of society", which was aimed at continuing development and construction and focusing on sustainable development in the kingdom while emphasizing the promotion of individual rights, including to freedom of opinion and of expression, and respect for human rights in a framework of constitutional and legal legitimacy.

14. The allegations of human rights violations claimed by a few non-governmental organizations (NGOs) revealed a huge lack of credibility and a great politicization of human rights. The head of the delegation refuted those allegations; Bahrain represented a model for the protection of freedom of thought, opinion, religion and belief. Freedom to practise religious rituals without any interference was guaranteed. The pluralism of trade unions in every enterprise placed Bahrain among advanced countries in terms of freedom of association.

15. Bahrain was aware that the process of encouraging respect for and protection of human rights was a continuing process that was not free of challenges and difficulties. The kingdom was determined to proceed in its efforts at all levels to promote and protect human rights despite all challenges, which included external interference in the affairs of the State, heightened risks of extremist sectarianism, intolerance, terrorism and infringement of the

right of citizens and residents to live safely, including security officers who were targeted while performing their duties and outside their working hours. Such acts of terrorism impaired the right to live in security and hampered efforts to ensure stability and inclusive development. Therefore, Bahrain, in accordance with the law, endeavoured to confront such acts and address them while upholding human rights.

B. Interactive dialogue and responses by the State under review

16. During the interactive dialogue, 82 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

17. Mexico noted efforts made by Bahrain to ensure freedom of opinion and expression, but expressed concern about measures adopted to restrict the rights to freedom of association and assembly and to freedom of expression.

18. Qatar commended the programmes that promoted human rights, the plan of action for 2015-2018, and the adoption of a law on the national human rights institution to ensure its compliance with the Paris Principles.

19. Morocco commended the commitments to promote human rights and the rule of law through the adoption of national action plans and legislation in that field.

20. Mozambique noted the adoption of the national development strategy for 2015-2018, prepared in connection with the country's Economic Vision 2030, and congratulated Bahrain for its accession to seven of the core international human rights instruments.

21. Myanmar noted with satisfaction a number of achievements in the promotion and protection of human rights, particularly in the advancement of women.

22. Nepal commended the establishment of the Office of the Ombudsman. It encouraged Bahrain to continue its ongoing and planned efforts to provide just and favourable conditions of work for, and improve the safety and security of, migrant workers.

23. The Netherlands expressed regret about the reversals of earlier progress made by Bahrain following the events of 2011, and expressed concern about the amendment to article 105 (b) of the Constitution allowing for the prosecution of civilians by military courts.

24. New Zealand welcomed progress made in empowering women and young persons and was encouraged that a number of institutions had continued to investigate alleged human rights violations by security forces.

25. Norway recognized positive steps taken to improve the human rights situation, in particular the creation of various institutions.

26. Oman welcomed the incorporation of the national plan to promote the advancement of women into the plan of action for 2015-2018.

27. Pakistan commended Bahrain for its efforts to implement the recommendations made in the previous universal periodic review cycles and noted a number of initiatives and efforts to build capacity to strengthen human rights.

28. The Philippines expressed satisfaction with the launching of the national plan for the advancement of Bahraini women and that Bahrain was now party to seven of the core human rights conventions. It urged Bahrain to strengthen its normative human rights framework.

29. Portugal welcomed the establishment of a national human rights institution, an ombudsman's office and a commission on the rights of prisoners and detainees. It was concerned about the executions of three persons — the first executions in six years.

30. Montenegro noted that some measures, including legislative and institution-building measures, had been taken, but also noted limited progress in several areas, including freedom of expression and of assembly, the application of the death penalty and the fight against torture.

31. The Republic of Korea noted efforts made, including the establishment of the national human rights institution, and the financial contributions Bahrain had made to OHCHR. It stated that issues relating to civil and political rights remained a challenge.

32. Saudi Arabia welcomed the measures taken, particularly relating to cooperation with United Nations mechanisms and the implementation of the recommendations from the second cycle, and commended the efforts to combat human trafficking.

33. Senegal welcomed measures taken, including the establishment of a national human rights institution, a commission on the rights of prisoners and detainees and campaigns to raise awareness of human rights norms among members of the security forces.

34. Sierra Leone noted the establishment of an ombudsman's office, the Special Investigations Unit and a national plan for the advancement of Bahraini women. It urged Bahrain to authorize visits of special procedure mandate holders.

35. Singapore commended concrete measures to implement recommendations made during the review in 2012 and noted efforts to improve women's rights and also to protect and support persons with disabilities, in particular through the implementation of programmes and centres to improve access to education and job training.

36. Slovenia called on Bahrain to ensure a safe and enabling environment in which human rights defenders could freely express their views and advocate for the protection and promotion of human rights, and urged the State to reconsider its position on the death penalty.

37. Spain acknowledged efforts made to improve the human rights situation, particularly the establishment of institutions to promote human rights and the adoption of measures to combat torture.

38. Sri Lanka welcomed the strengthening of the rule of law and the judiciary. It requested information on the measures taken to improve the status of women and to empower them to engage in political work and in the legislative process.

39. The Sudan commended the ratification of a number of core human rights instruments, the adoption of legislative measures to combat violence, and the creation of the plan of action to advance the rights of women.

40. Sweden noted that the main Bahraini opposition group, Al-Wefaq, had been dissolved in June 2016, entailing significant limitations on the right to freedom of association and assembly, and that the first execution in over six years had been carried out in January 2017.

41. Switzerland commended efforts such as the establishment of new institutions, but expressed regret about the incomplete implementation of the recommendations of the Bahrain Independent Commission of Inquiry and deplored the measures against civil society.

42. Thailand commended the establishment of the national institution for human rights and acknowledged efforts in promoting human rights training and capacity-building, especially for police and law enforcement officials.

43. Tunisia commended the measures taken to strengthen socioeconomic and cultural rights, and welcomed changes to legislation aimed at enhancing the protection of human rights, criminal justice, efforts to combat torture, and the promotion of cultural dialogue.

44. Turkey welcomed the work of the Bahrain Independent Commission of Inquiry and the adoption of the civil-settlement initiative to compensate victims. Turkey asked about the measures taken in relation to the unified family law.

45. Uganda welcomed all efforts taken to improve basic mechanisms for the protection of human rights, including the establishment of the commission on the rights of prisoners and detainees.

46. The United Arab Emirates welcomed the State's cooperation with human rights mechanisms and OHCHR and commended the training programme for police officers and law enforcement officers on human rights.

47. The delegation of Bahrain stated that Bahrain had adopted advanced national legislation and had established protective national mechanisms. It strove to cooperate with international human rights mechanisms. It had embarked upon the implementation of the recommendations of the Bahrain Independent Commission of Inquiry. Some of those recommendations were related to areas covered by mandates of special rapporteurs, most importantly those on combating torture. Bahrain would consider inviting special rapporteurs to visit.

48. The constitution and the legislation in Bahrain provided for fair trial safeguards, and sentences could be appealed up to the highest court.

49. The Al-Wefaq association had been dissolved pursuant to a decision of the high civil court. The supreme court of appeal had upheld the ruling. The Al-Wefaq association had appealed the decision before the cassation court; the appeal was still pending. The high civil court had issued its ruling based on the grounds that the association had: (a) targeted the principle of respect for the rule of law and the foundations of citizenship; (b) provided a conducive environment for terrorism, extremism and violence; (c) invoked external interventions in internal affairs; and (d) exploited religious platforms in political activities.

50. The Ministry of Justice had filed a petition for the dissolution of the Wa'ad association in the light of the serious violations the association had committed against the rule of law and of its support and glorification of terrorism and persons convicted of terrorism. The case was still before the competent court.

51. The United Kingdom stated that in 2016 and 2017 it had registered concerns at the Human Rights Council, including with regard to the resumption of the use of the death penalty and deprivation of citizenship. It encouraged Bahrain to promote social cohesion, inclusivity and freedom of expression.

52. The United States noted that there had been a decrease in the use of excessive force and acknowledged achievements in promoting women's equality. It expressed regret about restrictions on peaceful assembly and association and travel of human rights activists. It expressed concern about the inconsistency of fair trial guarantees and arbitrary revocations of citizenship.

53. Uruguay welcomed the legislation to abolish torture, as well as the establishment of institutions to investigate alleged cases of torture. It noted the progress made towards withdrawing the State's reservation to the Convention on the Elimination of All Forms of Discrimination against Women. Uruguay reiterated the importance of extending a standing invitation to all special procedure mandate holders.

54. Uzbekistan welcomed that Bahrain had taken measures to work more closely with OHCHR and civil society to implement recommendations made during the second cycle of the universal periodic review, including through the adoption of national plans aimed at the empowerment of women.

55. The Bolivarian Republic of Venezuela applauded Bahrain for the broad consultations undertaken in preparation of the national report. It welcomed reforms that ensured that the national human rights institution was in compliance with the Paris Principles, as well as efforts to ensure gender equality.

56. Yemen commended the efforts of the Government to adopt national strategies on development and on the rights of women, children, elderly persons and persons with disabilities.

57. Algeria welcomed efforts to improve the institutional framework for the rights of prisoners and detainees, the establishment of the Office of the Ombudsman and the adoption of a number of laws to ensure alignment of the legal framework of Bahrain with international human rights standards.

58. Angola commended Bahrain for its efforts to implement supported recommendations from the second review, including through measures to enhance gender equality and promote the status of women. It encouraged Bahrain to continue its commitment to strengthen the development programme in order to adhere to the targets of the 2030 Agenda for Sustainable Development.

59. Argentina congratulated Bahrain for submitting a mid-term report in 2014 and for launching an action programme for the period 2015-2018.

60. Armenia appreciated the establishment of the national institution for human rights and efforts related to the right to health, inclusive education and training programmes for women. It encouraged Bahrain to impose a moratorium on the death penalty.

61. Australia was encouraged by the establishment of human rights oversight bodies and acknowledged the advances made in the area of women's rights. It expressed concern about the January 2017 executions of three citizens. Australia encouraged a return to the national reconciliation process.

62. Austria expressed concern at the renewed recourse to executions, the prosecution of human rights defenders and the extension of the competence of military tribunals over civilians. It urged Bahrain to enhance the new entities established to safeguard human rights, with a view to ensuring their independence and impartiality.

63. Azerbaijan highlighted the measures taken by Bahrain to advance the role of women in society. It welcomed institutional reforms to ensure inter-agency coordination on human trafficking.

64. Bangladesh commended the State's determination to implement the recommendations of the Bahrain Independent Commission of Inquiry. It thanked Bahrain for implementing the recommendations on enhancing women's rights. Bangladesh commended the fact that, under the Private Sector Employment Act, the welfare of expatriate workers was ensured.

65. Belgium acknowledged that several positive steps had been taken to implement recommendations from the second review; however, a number of accepted recommendations had not been fully implemented. Belgium expressed concern about the resumption of executions following a de facto moratorium dating from 2010, and about the practice of revoking citizenship.

66. Botswana remained concerned by the curtailment of fundamental freedoms; harassment and arbitrary detentions; the crack-down on human rights defenders; the prevalence of the trafficking of girls and women to Bahrain; and the discriminatory nationality law.

67. Brazil commended Bahrain for taking steps to strengthen the independence of the national human rights institution. It recalled the importance of protecting human rights defenders and encouraged the promotion and protection of all human rights and fundamental freedoms.

68. Brunei Darussalam noted the efforts made in the advancement of women. It acknowledged the work done in ensuring access to quality education, particularly for vulnerable groups.

69. Bulgaria reiterated its strong opposition to the use of the death penalty, and considered that the executions in 2017 represented a setback, interrupting a de facto moratorium of six years. Bulgaria viewed the legislative amendment to stop the application of the death penalty to pregnant women as a step in the right direction. It expressed concern that abortion had been criminalized even in cases of rape or incest.

70. Canada encouraged Bahrain to empower the Office of the Ombudsman, the national institute of human rights and the commission on the rights of prisoners and detainees to enable them to hold government to account.

71. Chile was deeply concerned by the human rights situation in Bahrain, and noted the shrinking of democratic space and space for civil society. It was also concerned that torture and ill-treatment, particularly of detainees, continued to be common practices.

72. China welcomed efforts made to protect national stability and to promote and protect human rights through the adoption of the national development strategy for 2015-2018, prepared in connection with the country's Economic Vision 2030. It noted efforts in the justice sector and in the areas of women rights and the employment of foreign citizens.

73. Cuba noted the measures taken to ensure the functioning of the criminal justice system and the development of the capacity of the national police to respect human rights in the course of law enforcement. It also noted the implementation of the country's Economic Vision 2030 on the basis of sustainability, equity and competitiveness and the promotion of human rights.

74. Cyprus noted with satisfaction efforts made to comply with international human rights obligations. It encouraged continued efforts to strengthen capacity-building and training in the area of law enforcement with the aim of ensuring full respect for human rights.

75. Czechia expressed appreciation for the responses to some of its advance questions. It welcomed the submission by Bahrain of the voluntary midterm report.

76. Denmark remained concerned by the human rights situation, which included ongoing violations of the rights to freedom of expression and to freedom of association and assembly and arbitrary arrests of citizens. Denmark noted with serious concern the particularly high number of denaturalizations of Bahraini citizens since 2012.

77. Djibouti noted the adoption of measures to implement the recommendations from the second cycle, in particular on implementing, with OHCHR, a programme for technical cooperation and capacity-building, including civil society.

78. Egypt expressed appreciation for legislative efforts, particularly laws related to judicial authority, domestic violence, political associations, labour and families. It welcomed the establishment of national mechanisms to promote human rights, including the supreme coordination committee for human rights, the commission for the rights of prisoners and detainees and the Office of the Ombudsman.

79. Estonia expressed disappointment about incidents of reprisal against human rights defenders, in particular the travel ban imposed on Sayed Hadi al-Musawi, who was supposed to speak at the pre-sessional meeting for the review of Bahrain. It expressed regret about the executions that had been carried out and called for a moratorium on the death penalty.

80. Ethiopia commended the Government for the measures taken to implement the recommendations from the previous cycle and for its positive engagement with OHCHR in the light of consultations and agreements reached on cooperation projects in several areas, including to build the capacity of law enforcement officers.

81. Finland expressed a strong hope that, following the executions in January, Bahrain would return to its de facto moratorium on the use of the death penalty, with a view to establishing an official moratorium.

82. France said that the fight against terrorism must be undertaken with due respect for human rights. It asked about national monitoring mechanisms. France expressed concern about the executions that had been carried out, and called on Bahrain to respect freedom of expression and the freedom of the press.

83. Germany commended Bahrain for its efforts to strengthen the mandate of the national institution for human rights and welcomed the amendments to the law on political societies, which provided for the separation of religion and politics. Germany remained concerned about the recent application of the death penalty and troubled by reports about human rights defenders being banned from travelling to attend pre-sessional meetings for the current universal periodic review session.

84. The head of the delegation of Bahrain stated that the death penalty was applied only to a limited number of serious cases. There were adequate safeguards in Bahraini law for the imposition and application of the death penalty. The penal code provided for the possibility of commuting a death sentence to a life sentence or imprisonment for a lesser period if the crime was committed under circumstances that justified commuting the death penalty.

85. The nationality code was aligned to international standards. Nationality could be withdrawn or lost, in accordance with the law. To protect society against acts of terrorism,

the commission of acts of terrorism resulted in the loss of nationality; such decisions could be appealed up to the highest level of the judiciary.

86. Concerning the travel ban for human rights defenders, in accordance with the International Covenant on Civil and Political Rights, to which Bahrain had acceded in 2006, everyone should be free to leave any country, "including his own", and that right should not be subject to any restrictions except those which are provided by law and are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others.

87. The secretariat of the Ombudsman had been established in July 2013; it received complaints brought against any employee of the Ministry of the Interior. It had dealt with more than 3,200 cases, 70 per cent of which involved individual or collective requests for assistance or for information concerning the competent authorities of the Ministry. Many of the recommendations it had made had been received positively and had been addressed and implemented.

88. On 27 February 2012, the Attorney General had issued decision No. 8, establishing the independent Special Investigations Unit, which was considered a division of the judiciary. Its task, as outlined in the decision, was to determine the criminal responsibility of government officials accused of committing unlawful acts that had resulted in murder, torture, abuse or ill-treatment. The Unit continued to investigate such allegations and, where necessary, initiate prosecutions, in accordance with international standards, such as the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), including allegations against officials holding leadership positions, under the principle of command responsibility.

89. In accordance with royal decree No. 61 of 2013, a commission on the rights of prisoners and detainees had been established. Bahrain had adopted the principles of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Commission monitored prisons, detention centres and juvenile detention centres to ascertain the conditions of detention and the treatment that detainees received. Members of the commission exercised their functions independently, transparently and impartially.

90. Ghana welcomed the amendments to certain provisions of the law on judicial authority and the establishment of the Office of the Ombudsman. It noted with concern that despite the acceptance by Bahrain of recommendations made during its second review to provide remedy to victims of discrimination and to protect ethnic and religious communities, action had yet to be taken by the Government.

91. Guatemala noted that the Constitution guaranteed equality and protected against discrimination on religious grounds, but that there was no recognition of the right to freedom of thought, conscience or belief. Guatemala urged Bahrain to adopt measures to protect religious minorities.

92. Honduras acknowledged positive measures taken by Bahrain to implement the majority of the received recommendations, noting in particular the establishment of the Office of the Ombudsman.

93. Iceland remained concerned about the worsening human rights situation, including the clamp-down on human rights defenders and civil society. Iceland called on Bahrain to create conditions that fostered reconciliation and an inclusive political process.

94. India welcomed the cooperation of Bahrain with OHCHR and the training programmes for the judiciary. India requested details on the implementation of the national plan for the advancement of women and the progress achieved under the project to reform the labour market, and encouraged continuous efforts in the protection of foreign workers.

95. Indonesia commended Bahrain for the establishment of independent bodies that monitored the rights of prisoners and detainees and for its close cooperation with OHCHR on technical cooperation and a capacity-building programme.

96. The Islamic Republic of Iran expressed regret that the political situation had stagnated since the second cycle of the universal periodic review, mainly owing to pressure on those involved in peaceful and political activities, imprisonment of political and religious leaders and systematic harassment of the Shia population. It noted that about 1,000 persons in Bahrain were stateless because their nationality had been revoked.

97. Iraq commended Bahrain on the steps it had taken to set up the commission on the rights of prisoners and detainees, the Office of the Ombudsman and the Special Investigations Unit, which reflected the State's efforts and legislation aimed at equality and protecting national unity and social cohesion.

98. Ireland urged Bahrain to accept the visit requests of the special procedure mandate holders and OHCHR. It urged Bahrain to immediately put an end to harassment of and reprisals against human rights defenders engaging in national and international advocacy. It shared the concerns of the Committee against Torture regarding torture and condemned the reintroduction of the death penalty.

99. Italy welcomed the establishment of the commission on the rights of prisoners and detainees, the Special Investigations Unit and the Office of the Ombudsman, as well as the adoption of the national plan for the advancement of Bahraini women.

100. Jordan appreciated the initiatives Bahrain had undertaken to strengthen the institutional, legislative and constitutional frameworks and enjoyment of fundamental freedoms. Jordan welcomed the establishment of the ombudsman's office and the high committee on the integrity of elections.

101. Kuwait commended Bahrain on submitting its reports for review on time. Kuwait supported all the measures taken by Bahrain to address terrorism, which it regarded as targeting the safety and security of citizens.

102. Lebanon commended Bahrain on fulfilling its international obligations in the area of the promotion and protection of human rights. Lebanon noted the grant allocated by Bahrain to provide training for judiciary members in line with international standards and human rights principles.

103. Libya appreciated the establishment of the national human rights institution, the adoption of a national development strategy and the launch of the national plan for the advancement of women. It asked Bahrain about the education and awareness training programme aimed at ensuring social integration.

104. Lithuania noted with pleasure the great efforts made since the previous review to improve the country's human rights record. It congratulated Bahrain on the adoption of the law on child protection and for amending the penal code.

105. Luxembourg welcomed that a certain amount of progress had been made in the area of human rights, in particular women's rights, including those related to economic independence, and workers' rights. Nevertheless, there were still major challenges.

106. Maldives commended the launch of the national plan for the advancement of Bahraini women (2013-2022), in particular the focus on the principle of providing equal opportunities for and empowering women, and the establishment of a national committee to combat human trafficking.

107. Mauritania noted with satisfaction amendments made to legislation to ensure conformity with international standards of human rights and criminal justice, such as the amendments to the penal code concerning torture and to the law on public security relating to protecting victims and bringing perpetrators to justice.

108. The State of Palestine welcomed the State's accession to human rights instruments, encouraged additional efforts to adopt national legislation in line with the international human rights standards and noted the adoption of several strategies and plans and the establishment of the national human rights institution.

109. The delegation of Bahrain reported that preparation of a new bill on press and electronic media was under way, and that the bill was aimed at promoting the freedom and independence of the press and electronic media institutions in accordance with international

norms. The bill included provisions prohibiting calls to violence or hatred, threats to national security, violations of the rights and dignity of others or morality and infringement of any of the human rights principles. Executive and judicial measures were being taken to prohibit any incitement to sectarianism, violence, religious hatred or racism in the mass media, in accordance with the penal code and its amendments and the current press law promulgated by legislative decree No. 47 of 2002. Bahrain supported the rights of journalists to carry out their mission in freedom and independence, and penalized any assault against them, citing the existing penalties related to assaulting a public official, in conformity with articles 29-34 of the press law.

110. The Government had adopted an initiative on civil settlement to compensate those who had been harmed in the events of February and March 2011, based on a proposal by the national committee that had been established to follow up on the implementation of the recommendations of the Bahrain Independent Commission of Inquiry, without prejudice to the rights of the aggrieved parties to resort to civil proceedings that did not address criminal accountability.

111. Legislative decree No. 47 constituted the legislative framework for newspapers, the staff of which performed their role without any prior censorship of content; the decree also ensured equal opportunity among all newspapers with regard to obtaining information and news from sources and publishing such news, provided it was not based on, or that it did not spread, rumours. Any restriction on the free flow of information was prohibited. It was prohibited to oblige any journalist to divulge information sources. Slander, libel, defamation of reputation and inciting a person to commit a crime were prohibited. To date, no journalist had ever been imprisoned.

112. The Supreme Council for Women had paid special attention to the issue of children born to Bahraini women who were married to foreigners. The Cabinet had issued a decision accepting a bill to modify some provisions of the nationality code in order to allow those children to be granted Bahraini nationality in accordance with specific rules. The bill had been submitted to the legislature.

113. The head of the delegation of Bahrain extended his thanks to all of the States that had participated in the interactive dialogue, and his special thanks to the members of the troika and the Secretariat. He reiterated that Bahrain would continue to promote and protect human rights and fundamental freedoms in the framework of the national action charter, the constitution, its legislation, its international obligations and the policies and programmes of the Government. Bahrain was looking forward to benefiting from the interactive dialogue under the universal periodic review mechanism, the Human Rights Council and the treaty bodies, and to strengthening its cooperation with OHCHR.

II. Conclusions and/or recommendations

114. **The recommendations formulated during the interactive dialogue/listed below will be examined by Bahrain, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:**

114.1 **Ratify the main human rights instruments to which Bahrain is not yet party, and adapt its national legislation to these and withdraw its reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Spain);**

114.2 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Estonia) (Uruguay) (Ireland);**

114.3 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights and abolish the death penalty (Portugal); Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Angola);**

114.4 **Continue the ratification process of the main international human rights-related instruments, including the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Italy);**

114.5 **Consider the possibility of ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Senegal); Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in order to contribute to the work already done (Uruguay); Ratify before the next universal periodic review cycle the Optional Protocol to the Convention against Torture and establish a national preventive mechanism accordingly (Czechia); Positively examine the ratification of the Optional Protocol to the Convention against Torture (Cyprus); Move towards ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);**

114.6 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Portugal) (Estonia) (Guatemala) (Ghana) (Denmark) (Luxembourg) (Lithuania);**

114.7 **Ratify the first Optional Protocol to the International Covenant on Civil and Political Rights (Estonia);**

114.8 **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Guatemala);**

114.9 **Ratify the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization (Switzerland) (Philippines) (Ghana) (Uganda);**

114.10 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines) (Ghana) (Guatemala);**

114.11 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay) (Ghana) (Portugal);**

114.12 **Ratify the Rome Statute of the International Criminal Court (Portugal) (Estonia);**

114.13 **Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);**

114.14 **Proceed with the ratification of, and full alignment of its national legislation with all obligations under, the Rome Statute of the International Criminal Court, including incorporating the Statute's definition of crimes as amended at the Review Conference of the Rome Statute of the International Criminal Court in 2010 and general principles, as well as adopting provisions enabling cooperation with the Court, and accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Finland);**

114.15 **Ratify the Convention relating to the Status of Refugees (Uganda);**

114.16 **Accede to the Convention relating to the Status of Stateless Persons (Mexico);**

114.17 **Take steps to establish an independent, effective and well-resourced national preventive mechanism in compliance with Optional Protocol to the Convention against Torture requirements (Ghana);**

114.18 **Adhere and adopt national legislation in line with the Rome Statute, including the incorporation of the provisions for swift cooperation with the International Criminal Court (Guatemala);**

114.19 **Continue cooperation with the United Nations human rights mechanisms in order to protect and promote human rights (Saudi Arabia);**

114.20 **Continue efforts for international cooperation in the field of human rights and benefit from relevant international experiences (Sudan);**

114.21 **Continue to extend cooperation with the United Nations and to make the best use of the international expertise available through the relevant international mechanisms (Azerbaijan);**

114.22 **Ensure that all Bahrainis can freely cooperate with United Nations human rights mechanisms (Czechia);**

114.23 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

114.24 **Extend a standing invitation to all special procedures as soon as possible (Netherlands); Extend the standing invitation to all the mechanisms and special procedures of the Human Rights Council (Honduras); Facilitate a standing invitation to the special procedures mandate holders of the Human Rights Council (Guatemala); Issue a standing invitation to special procedure mandate holders (Bulgaria);**

114.25 **Cooperate with special procedures of the Human Rights Council, including by swiftly providing access for special rapporteurs with outstanding requests for visits to Bahrain (Iceland);**

114.26 **Encourage the Government to cooperate with all special procedures mandate holders (Iraq);**

114.27 **Continue to strengthen its cooperation with United Nations human rights mechanisms, in particular by accepting country visits of special rapporteurs (Republic of Korea);**

114.28 **Allow the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to visit Bahrain, following up on the acceptance of recommendations to that effect made in the second cycle (Austria);**

114.29 **Accept the request of the Special Rapporteur on torture and the Special Rapporteur on the rights to freedom of peaceful assembly and of association (France);**

114.30 **Implement fully recommendations made by the United Nations mandate holders, including through the immediate release of all political prisoners and by ending impunity, thus bringing perpetrators of human rights violations to justice (Islamic Republic of Iran);**

114.31 **Encourage the Government to implement the pledges and commitments undertaken during the second cycle of the universal periodic review in 2012 (Iraq);**

114.32 **Continue the project of technical cooperation with OHCHR in a number of different areas, particularly to strengthen the capacity of persons in charge of enforcing the law (Djibouti);**

114.33 **Strengthen the cooperation with OHCHR (Honduras);**

114.34 **Accept a visit from the United Nations High Commissioner for Human Rights or a United Nations special rapporteur to identify steps to strengthen human rights institutions (United States of America);**

114.35 **Review laws and practices to ensure that they are compliant with international human rights law (Portugal);**

114.36 **Adhere to and adopt national legislation to bring it into line with the Arms Trade Treaty (Guatemala);**

114.37 **Set a timeline with clear deadlines for the implementation of all Bahrain Independent Commission of Inquiry recommendations and provide regular and public reports on the progress of their implementation (Slovenia);**

114.38 **Strengthen partnerships between official institutions and the national human rights institutions through the implementation of the bilateral programmes of cooperation (Algeria);**

114.39 **Continue to strengthen the Office of the Ombudsman of the Ministry of the Interior, the Ombudsman of the National Security Agency and the Special Investigations Unit, so they can fulfil their mandates effectively (New Zealand);**

114.40 **Take all measures to ensure the independence, including financial, and the effectiveness of the national human rights institution and to protect it from all forms of pressure or reprisal in connection with its work to promote and protect human rights (Montenegro); Strengthen the national human rights institution of Bahrain and ensure its full compliance with the Paris Principles (Republic of Korea); Continue strengthening the national human rights institution in accordance with Paris Principles, especially in terms of increasing its independence and authority (Indonesia);**

114.41 **Strengthen the independence and effectiveness of the national human rights institution in accordance with the Paris Principles (State of Palestine); Strengthen the capacity of the national human rights institution to have access to cases that require special attention (Libya);**

114.42 **Continue introducing international norms of human rights in the national legislation and efforts to increase the potential and capacity of national human rights institutions (Uzbekistan);**

114.43 **Continue the implementation of the national strategic action plan 2012-2016 on persons with disabilities (Djibouti);**

114.44 **Further enhance the capacity of the national committee for childhood for the full implementation of the national childhood strategic action plan (Ethiopia);**

114.45 **Continue to promote human rights education (Pakistan);**

114.46 **Take measures to improve the education system and carry out programmes aimed at enhancing awareness about human rights at the national level (Uzbekistan);**

114.47 **Include human rights education in school curricula (Armenia);**

114.48 **Intensify programmes aimed at promoting and protecting human rights in school curricula (Kuwait);**

114.49 **Strengthen education for law enforcement personnel on international human rights laws, including the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights (Republic of Korea);**

114.50 **Improve the capacity and training of the security forces in the area of human rights and moderate use of force, both in their response to peaceful protests and in places of detention (Spain);**

114.51 **Disseminate widely in the society the Code of Conduct for Law Enforcement Officials (United Arab Emirates);**

114.52 **Continue the training programmes for magistrates and law enforcement officials in accordance with international standards and human rights principles (Lebanon);**

114.53 **Continue to raise awareness of human rights among all groups, particularly the younger generations, through education, training and media communications (Thailand);**

114.54 Raise awareness in the society, among people of all ages, to enable them to recognize the importance of civil society organizations and their role in the dynamics of Bahraini society (Tunisia);

114.55 Allow international NGOs to visit Bahrain and to carry out their human rights work without restrictions, including by abolishing the current five-day limit for such visits (Iceland);

114.56 Engage in a genuine national dialogue in an open and inclusive manner with all stakeholders, with the aim of effectively addressing the legitimate aspirations and concerns of all the population in a comprehensive and inclusive manner (Islamic Republic of Iran);

114.57 Take urgent steps to facilitate the work of civil society and human rights defenders, and guarantee protection of all persons from intimidation or reprisals for seeking to cooperate with the United Nations (Ireland);

114.58 Maintain its commitment to achieving concrete political reform based on respect of the legitimate rights and aspirations of all its citizens, consistent with Bahrain's international obligations and acceptance of the findings and recommendations of the 2011 report of the Bahrain Independent Commission of Inquiry (Australia);

114.59 Ensure the full implementation of all recommendations from the Bahrain Independent Commission of Inquiry (Belgium);

114.60 Continue adopting programmes and policies to strengthen national unity and cohesion (Egypt);

114.61 Take specific and additional measures aimed at strengthening its national unity and internal domestic security and fostering cooperation in order to disseminate the culture of social peaceful coherence and guarantee freedom of expression that ensures social justice among all components of society (Iraq);

114.62 Adopt effective measures in law and practice to eradicate all forms of discrimination, in particular on the basis of religion or belief (Honduras);

114.63 Take additional measures to combat intolerance, negative stereotyping and stigmatization, as well as discrimination, incitement to violence and violence against persons based on religion or belief, in line with Human Rights Council resolution 16/21 (Brazil);

114.64 Continue the application of policies and programmes on comprehensive and sustainable development (Cuba);

114.65 Continue paying attention to achieving comprehensive development through support for a human rights culture through the media and the educational system (Jordan);

114.66 Continue to implement policies and programmes for comprehensive and sustainable development (Libya);

114.67 Work towards raising awareness of the right to a safe environment through participation and cooperation among all partners (Tunisia);

114.68 Rescind the amendment of law 105b that allows for civilians to be prosecuted in military courts if accused of terrorism (Netherlands);

114.69 Ensure that counter-terrorist measures are fully consistent with Bahrain's international human rights obligations (Brazil);

114.70 Review the anti-terrorism law and its implementation in order to ensure it cannot be abused for harassment, detention and prosecution of dissenters (Czechia);

114.71 **Amend the 2006 law on protecting society from terrorist acts to avoid imposing statelessness on individuals and minimize the negative impact on the families of those affected (Germany);**

114.72 **Continue with the strategy of combating terrorism in order to protect human rights (Kuwait);**

114.73 **Continue efforts to promote the participation of women in political, economic, social and all other spheres (Myanmar);**

114.74 **Abolish the death penalty, and commute all death sentences to prison terms (Sweden);**

114.75 **Commute all the death sentences and establish a moratorium on executions (Portugal); Commute all death sentences, declare a moratorium on executions and move towards an abolition of the death penalty (Norway); Introduce a moratorium on the execution of the death penalty (Germany); Impose a moratorium on the use of the death penalty (Montenegro); Re-introduce the moratorium on executions with a view to definitively abolishing the death penalty (Spain); Impose an official moratorium on the death penalty and replace the death penalty with a sentence that is fair and proportionate and respects international human rights standards (Bulgaria);**

114.76 **Suspend without delay the executions and declare a moratorium on the application of death penalty as the first phase towards its abolition (France); Immediately implement a formal moratorium on the death penalty with a view to abolishing the practice (Australia); Immediately declare an official moratorium on executions with a view to the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights and the abolition of the death penalty (Austria); Establish without delay a legal moratorium on the application of the death penalty with a view to its subsequent abolition (Luxembourg)**

114.77 **Establish an official moratorium on the death penalty (Lithuania); Establish a moratorium on executions with a view to abolishing the death penalty (Italy); Take urgent measures to establish a formal moratorium on executions of prisoners on death row (Argentina); Establish a moratorium on the death penalty with a view to its abolition (Chile);**

114.78 **Restrict the use of the death penalty to crimes that meet the threshold of "most serious crimes" under international law (Belgium);**

114.79 **Investigate all allegations of torture and start prosecuting all individuals found responsible (Norway);**

114.80 **Ensure accountability for perpetrators of torture and access by victims of torture to justice, redress and rehabilitation (Czechia);**

114.81 **Further implement measures on the protection of victims of mistreatment and torture and on the prosecution of perpetrators (Italy);**

114.82 **Criminalize torture in its legislation and establish a national preventive mechanism for torture (Spain);**

114.83 **Ensure the independence, impartiality and effectiveness of the Special Investigations Unit and other relevant human rights institutions in investigating all allegations of torture and other ill-treatment, unlawful killings and deaths in custody (Finland);**

114.84 **Strengthen health services for prisoners and detainees (Qatar);**[1]

[1] On 5 May 2017, at the time of adoption of the draft document during the 10th meeting of the Working Group, this recommendation was withdrawn by the delegation of Qatar.

114.85 **Continue and further efforts to prevent and eliminate trafficking in persons (Saudi Arabia);**

114.86 **Further improve measures aimed at combating human trafficking, including victim assistance (Sri Lanka);**

114.87 **Promptly carry out an in-depth investigation into all allegations of torture and ill-treatment, such as the case of the three persons executed in January 2017, and bring those responsible to justice (Switzerland);**

114.88 **Implement a national strategy to tackle the trafficking of women and girls, while building on its excellent work to ensure the effective protection of all workers, including migrant workers, against discrimination, and to ratify the 2014 protocol to the Forced Labour Convention, 1930 of the International Labour Organization (United Kingdom of Great Britain and Northern Ireland);**

114.89 **Step up efforts to combat human trafficking and strengthen the protection of victims (Angola);**

114.90 **Further intensify the combating of human trafficking and the protection of victims of trafficking in persons by removing the existing obstacles (Ethiopia);**

114.91 **Consider formulating a strategy against trafficking in persons (India);**

114.92 **Adopt a comprehensive national strategy against trafficking in persons (Maldives);**

114.93 **Intensify efforts to provide public education and training on the human trafficking law (Azerbaijan);**

114.94 **Ensure that all allegations of enforced disappearances, torture or any other form of ill-treatment are independently, promptly and thoroughly investigated, and perpetrators are brought to justice in accordance with international rule of law standards (Germany);**

114.95 **Release all arbitrarily detained persons in Bahrain, including the Danish-Bahrain citizen Abdulhadi Al-Khawaja, a victim of torture who needs treatment and rehabilitation (Denmark);**

114.96 **Take necessary measures to guarantee the enjoyment of all fundamental freedoms, including the participation in political and public affairs by all (Botswana);**

114.97 **Avoid the intimidation and harassment of human rights defenders, journalists and civil society organizations, lifting the restrictions imposed on them and allowing them to freely exercise their rights to freedom of expression, association and assembly (Spain);**

114.98 **Adopt a law to protect human rights defenders that includes special protection for vulnerable groups of defenders, including women defenders and those who express themselves through the Internet and social media (Mexico);**

114.99 **Rescind impediments to freedom of expression, association and peaceful assembly (New Zealand);**

114.100 **Release as soon as possible all individuals, including human rights defenders, having been imprisoned solely due to the exercise of their fundamental rights of expression and assembly (Norway);**

114.101 **Protect the rights to freedom of association and assembly in accordance with its international obligations, notably those under the International Covenant on Civil and Political Rights, and cease the dissolution of political parties and civil society organizations (Sweden);**

114.102 **Release all persons detained solely for the exercise of their right to freedom of expression or their right to peaceful assembly and repeal all legislative provisions criminalizing the exercise of these rights (Switzerland);**

114.103 **Review convictions, commute sentences, or drop charges for all persons imprisoned solely for non-violent political expression (United States of America);**

114.104 **Remove undue restrictions on the online publication of news media, and the licencing restrictions on media organizations and individuals seeking to practise journalism (Canada);**

114.105 **Amend the penal code and the press law to remove criminal penalties for alleged libel and insult offences, as accepted by Bahrain during its last universal periodic review (Canada);**

114.106 **Align the press law and penal code with the obligations under international human rights law, especially article 19 of the International Covenant on Civil and Political Rights (Estonia);**

114.107 **Redouble efforts to promote and safeguard the freedom and independence of the press and electronic media on the basis of international standards and norms (Cyprus);**

114.108 **Ensure that the new bill for the press and electronic media complies with international norms and continues its efforts to ensure respect for the right to freedom of expression and the right to peaceful assembly and association (State of Palestine);**

114.109 **Take measures to guarantee the exercise of the right to freedom of association and peaceful assembly and to promote and facilitate the activities of NGOs (France);**

114.110 **Modify the legislation to repeal criminal responsibility for activities that fall within the legitimate exercise of the freedom of expression, particularly on the Internet and Twitter (France);**

114.111 **Repeal or amend all laws that restrict the freedoms of expression, association or assembly, including decree No. 31 of 2013, Law No. 34 of 2014, and Law No. 26 of 2015 (Germany);**

114.112 **Immediately and unconditionally release all prisoners of conscience imprisoned only for exercising their right to freedom of expression, association and peaceful assembly (Iceland);**

114.113 **Implement relevant legislation for the full exercise of the right to freedom of expression, peaceful assembly and association (Italy);**

114.114 **Continue strengthening the freedom of the media and the rights of media workers (Lebanon);**

114.115 **Respect the legitimate rights of all its citizens to freedom of assembly, expression and participation in political societies (Australia);**

114.116 **Reduce restrictions on peaceful assembly and association, allow individuals to participate freely in independent political societies, consistent with the Constitution and national action charter, and cease unwarranted legal action against Wefaq and Wa'ad for engaging in protected activities (United States of America);**

114.117 **Take further steps to create a more enabling environment for international and national media platforms and ensure plurality of opinions within the country (Lithuania);**

114.118 **Allow journalists to exercise their profession, and refrain from arbitrarily withholding licence renewals (Lithuania);**

114.119 Adopt appropriate measures to ensure the protection of human rights defenders, journalists and members of the political opposition from acts of aggression and intimidation and abstain from taking any restrictive measures or reprisals against human rights defenders, notably those who cooperate with the Human Rights Council (Luxembourg);

114.120 Finalize and enact the new media law with the meaningful involvement of all stakeholders, providing for a truly independent regulatory body (Austria);

114.121 Remove undue restrictions on the organization of peaceful protest in opposition to the Government, and repeal the application of criminal penalties to peaceful participation in unauthorized protests (Canada);

114.122 Respect and protect the right of all groups and individuals to participate in legitimate political activities (New Zealand);

114.123 Remove restrictive limitations on the establishment of political parties or membership therein, and cease the dissolution by law of opposition political societies (Canada);

114.124 End immediately the reprisals against human rights defenders and lift restrictions on civil society (Estonia);

114.125 Take effective measures to raise awareness of the rights stipulated in the conventions it has acceded to concerning the judiciary and law enforcement officials (Qatar);

114.126 Ensure that the oversight institutions established following the recommendations of the Bahrain Independent Commission of Inquiry are fully impartial and independent in order for them to effectively carry out their work (Sweden);

114.127 Ensure that all aspects of criminal procedure are in line with accepted international standards (Australia);

114.128 Focus on strengthening the legal framework, the institutions and the judiciary to guarantee an independent judicial system and the right to fair trial guaranteed by articles 9 and 14 of the International Covenant on Civil and Political Rights (France);

114.129 Continue making progress on its reform agenda and to become a role model for the region, including through strengthening the independence, effectiveness and transparency of its oversight bodies, and cooperating with the United Nations system (United Kingdom of Great Britain and Northern Ireland);

114.130 Guarantee the fight against impunity, ensuring that all those persons found guilty are brought to justice, in the context of allegations of the use of torture to obtain confessions from detainees (Luxembourg);

114.131 Take further steps to ensure equality with respect to all aspects of employment and occupation (Republic of Korea);

114.132 Continue to promote the rights of vulnerable groups, in particular girls, women, migrants and persons with disabilities (Senegal);

114.133 Consider adopting a unified and modern personal status law that is compatible with all legal and procedural requirements (Morocco);

114.134 Review its legislation in order to eliminate provisions that are discriminatory against women (Czechia);

114.135 Take necessary measures to eliminate all forms of discrimination against women (Myanmar);

114.136 Pursue efforts to enhance women's rights and fight all sorts of discrimination against women (Tunisia);

114.137 **Further its work in empowering women, promoting gender equality and eliminating discrimination and violence against women and children by, inter alia, amending and promulgating relevant laws and implementing the national plan for the advancement of Bahraini women (Thailand);**

114.138 **Continue to implement policies that promote gender equality and provide women with opportunities to play an active role in social, economic and political spheres (Singapore);**

114.139 **Continue to seek and cooperate with partners in the field of the implementation of the national plan for the advancement of Bahraini women (2022) in order to build a competitive and sustainable society in the kingdom (Oman);**

114.140 **Continue to promote gender equality and actively implement the national plan for the advancement of Bahraini women 2013-2022 (China);**

114.141 **Fully implement the national plan for the advancement of Bahraini women (2022) in its five lines (Cuba);**

114.142 **Pursue further measures to strengthen gender equality and guarantee the status of women in society at all levels (Algeria);**

114.143 **Continue empowering Bahraini women in the economic, political and social spheres (Egypt);**

114.144 **Continue efforts to promote gender equality and women's political, social and economic empowerment (Nepal);**

114.145 **Continue efforts to empower and advance women and facilitate women's participation in the society, particularly in political life, decision-making and holding leadership positions (Jordan);**

114.146 **Adopt holistic plans and policies to achieve gender equality in public and private spheres and further recommends that specific measures be taken to increase women's participation at all levels and promote women's appointment in leadership positions (Chile);**

114.147 **Further efforts to increase the representation of women in leadership, public and decision-making positions (Sierra Leone);**

114.148 **Continue to bolster progress in the education of girls and women and to further diversify their educational and professional choices (Libya);**

114.149 **Amend the citizenship law to enable women to transfer nationality to their children without restriction and on an equal basis with men (Slovenia);**

114.150 **Finalize the draft law amending certain provisions of the 1963 citizenship act to enable Bahraini women married to non-Bahraini men to confer their nationality on their children without any conditions (Botswana); Expedite the legal procedures relating to the Bahraini nationality act of 1963, thus allowing citizenship to be granted, without restrictions, to children of Bahraini women married to foreigners (Sierra Leone);**

114.151 **Step up efforts in amending the law to allow the granting of Bahraini citizenship to children whose mothers are married to foreigners (Philippines);**

114.152 **Deploy all necessary measures to ensure the quick adoption and implementation of the law on nationality to give nationality to children of Bahraini women married to foreigners (Uruguay);**

114.153 **Make necessary efforts to reform all legislation that is discriminatory towards women, in particular the nationality act and the family affairs laws (Argentina);**

114.154 **Continue efforts to ensure the safety, security and dignity of foreign migrant workers, including women domestic workers, through requisite institutional and legislative measures (Nepal);**

114.155 **Continue the important process of reconciling the improvement of women's rights and duties within the provision of sharia law (Indonesia);**

114.156 **Continue strengthening the policies aimed at protecting women (Kuwait);**

114.157 **Take steps to ensure the successful implementation of the national plan for the advancement of Bahraini women 2013-2022 (Brunei Darussalam);**

114.158 **Increase the number of women in political and public life at all levels and in all areas and promote women in leadership positions and ensure that they are granted opportunities in the higher education system (Turkey);**

114.159 **Continue to promote the rights of children (Pakistan);**

114.160 **Prohibit by law corporal punishment against children in all settings and contexts, including in the home, and repeal all exceptions to its use (Mexico);**

114.161 **Unify the criminal age in the kingdom's legislation to uphold the best interest in the treatment of the child in a manner compatible with his age and dignity and to facilitate his rehabilitation and reintegration in society (Morocco);**

114.162 **Take effective measures to realize the rights enshrined in the Convention on the Rights of Persons with Disabilities, which was ratified in 2011 (United Arab Emirates);**

114.163 **Develop health programmes in health-care centres and correctional and rehabilitation centres to accommodate all age groups and people with special needs (Oman);**

114.164 **Continue to improve the social security system, and take further steps to guarantee the rights of persons with disabilities and other vulnerable groups (China);**

114.165 **Continue to support the integration of persons with disabilities in society by strengthening educational support and job training (Singapore);**

114.166 **Promote the participation of persons with disabilities and integrate them more widely in Bahraini society (Sudan);**

114.167 **Continue its steps to promote human rights through effective measures to realize the rights set out in the International Convention for the Protection of All Persons from Enforced Disappearance (Yemen);**

114.168 **Ensure the completion and successful running of the nine rehabilitation centres in a comprehensive disability complex (Brunei Darussalam);**

114.169 **Continue strengthening its sound social policies that favour the people, with special emphasis on the most vulnerable groups (Bolivarian Republic of Venezuela);**

114.170 **Ensure the effective protection of migrants, particularly women migrant workers, against discrimination (Philippines);**

114.171 **Strengthen the legal protection for migrant workers, including domestic workers, against discrimination on the grounds of race, sex, religion or nationality (Sierra Leone);**

114.172 **Continue to improve measures to strengthen the rights of foreign migrant workers, including putting in place the necessary domestic legislation and access to health care and legal aid (Sri Lanka);**

114.173 **Speed up the legislative process to operationalize the draft law amending the nationality act so as to address the problem of statelessness in the**

country (Uganda); Amend article 10 (c) of the 1963 citizenship act to bring it into line with international standards (Belgium);

114.174 **End the practice of revoking citizenship from individuals (Denmark);**

114.175 **End the practice of revocation of citizenship, adopt legal and institutional safeguards to prevent discrimination against members of religious minorities and provide effective remedy for victims of arbitrary arrest, detention, summons or travel bans (Czechia);**

114.176 **Abolish the practice of revoking nationality as a punishment on any grounds (Mexico); End the practice of arbitrarily revoking citizenship, especially where this renders individuals stateless and forces them into exile (Belgium).**

115. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

III. Voluntary pledges and commitments

116. Bahrain is working to:

(a) Promulgate a consolidated law on family provisions;

(b) Put in place family courts with all the judicial facilities and services related to the family, taking due account of the specificity and nature of family disputes.

117. Bahrain is also working towards drafting a new law on the press and the electronic media.

118. Bahrain is considering amending the Bahraini citizenship act to grant citizenship to the children of Bahraini women married to foreigners in accordance with the rules regulating the granting of citizenship.

119. The application of policies and programmes on comprehensive and sustainable development continues. Bahrain will submit its first report on achieving the Sustainable Development Goals to the high-level political forum on sustainable development to be held in New York in July 2018.

120. Bahrain is working on increasing awareness in all areas of human rights through available means, including education and the media.

121. Bahrain will submit a voluntary report on what has been accomplished within two years of the adoption of the report on the outcome of the universal periodic review.

Annex

Composition of the delegation

The delegation of Bahrain was headed by H.E. Mr. Abdulla Bin Faisal Aldoseri, Assistant Foreign Minister and composed of the following members:

- H.E. Ambassador Abdulla Abdullatif Abdulla, Undersecretary of Ministry of Foreign Affairs;
- H.E. Dr. Yusuf Abdukarim Bucheeri, Ambassador, Permanent Representative, Ministry of Foreign Affairs;
- Mr. Naser Abdulredha Alqaseer, Council of Representatives Member, Shura & Representatives Councils;
- Mr. Ahmed Mahdi Alhaddad, Shura Member, Shura & Representatives Councils;
- Dr. Ibrahim Ali Badawi Elsheikh, Legal Adviser, Ministry of Foreign Affairs;
- Mr. Mohamed Rashed Alsowaidi, Minister Plenipotentiary, Ministry of Foreign Affairs;
- Colonel Rashid Bunajma, Director of legal Directorate, Ministry of Interior;
- Captain Abdulla Ahmed Abdulla, Director of Ministerial Committees Directorate, Ministry of Interior;
- Ms. Alya Yusuf Albenali, Legal Researcher, Ministry of Interior;
- Dr. Waleed Khalifa Yusuf Almanea, Hospitals' Assistant-Undersecretary, Ministry of Interior;
- Shaikh Salman Bin Hamad Alkhalifa, Counsellor, Ministry of Justice and Islamic Affairs;
- Dr. Mohamed Alansari, Assistant Undersecretary for Labour Affairs, Ministry of Labour & Social Development;
- Mrs. Ahlam Ahmed Alameer, Director of the Special Education Directorate, Ministry of Education;
- Mr. Ezuddin Khalil Ebrahim Almoyed, Director of Administrative and Information Affairs, Supreme Council for Women;
- Dr. Mohamed Walid Almasri, Legal Adviser, Supreme Council for Women;
- Mr. Nawaf Al Ma'Awdah, Secretary General Ombudsman, Ombudsman;
- Mr. Abdulla Mohamed Alhajeri, Director of Ombudsman's Office, Ombudsman Director of Ombudsman's Office, Ombudsman;
- Mr. Mohamed Ahmed Albusmait, Legal Adviser, Labour Market Regulatory Authority;
- Mr. Fawzan Khalifa Bufarsan, Legal Adviser, Information Affairs Authority;
- Ms. Budoor Ahmed, 1st Secretary, Permanent Mission of Bahrain;
- Mr. Majed Alnoaimi, 3rd Secretary, Permanent Mission of Bahrain;
- Ms. Asma Khalifa Alkaabi, Attaché, Permanent Mission of Bahrain.

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Report of the Working Group on the Universal Periodic Review*

Ecuador

* The annex is being issued without formal editing, in the languages of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Ecuador was held at the 2nd meeting, on 1 May 2017. The delegation of Ecuador was headed by the Minister of Foreign Affairs and Human Mobility, Guillaume Long. At its 10th meeting, held on 5 May 2017, the Working Group adopted the report on Ecuador.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Ecuador: Bolivia (Plurinational State of), Côte d'Ivoire and Republic of Korea.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Ecuador:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/ECU/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/ECU/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/ECU/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Ecuador through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation reaffirmed the profound commitment of Ecuador to human rights and highlighted the significant progress made since the previous universal periodic review and, more generally, during the decade of the Government of the Citizens' Revolution.

6. Ecuador was a party to all existing international human rights conventions and treated all human rights as indivisible, interdependent and of equal importance. However, human rights could not be guaranteed in the presence of extreme poverty, inequality and anti-democratic asymmetries in the distribution of power.

7. The 2008 Constitution had introduced a new social contract and set the basis for the construction of a State of "good living" by rethinking the traditional concept of development. Within that framework, and despite many challenges, the Government was working to implement public policies aimed at protecting the human rights of the citizens of Ecuador.

8. Ecuador considered that poverty was a multidimensional phenomenon and that fighting it was crucial to guarantee human rights. Between 2009 and 2016, the multidimensional poverty rate in Ecuador had dropped from 27.2 per cent to 16.9 per cent as a result of increased access to employment, education, social security, water and housing. Ecuador was also a global leader in fighting inequality, having reduced the Gini coefficient by eight points despite the systematic rejection by the Ecuadorian elites of any tax reform aimed at ensuring the redistribution of wealth necessary to protect human rights.

9. The delegation noted the promulgation in 2014 of the Organic Act on National Equality Councils and referred to other important achievements, such as the criminalization

of femicide and of physical, sexual and psychological violence; the high level of women's political participation; the recognition of same-sex civil unions; and the enactment of the Organic Act on Identity and Civil Data Management.

10. In line with the constitutional principle of "good living", Ecuador had fully recognized the right to decent work and reduced the unemployment rate to 5.2 per cent, one of the lowest in the region. Moreover, during the decade of the Citizens' Revolution, the budget for public health had been eight times greater than during the previous decade. The right to education was also guaranteed, with substantive investment in infrastructure and improvements to quality at all levels.

11. With regard to the environment, the delegation indicated that 34 per cent of Ecuadorian territory was currently protected. Ecuador had also built nine hydroelectric plants; as a result, more than 90 per cent of the country's electricity came from renewable sources.

12. Ecuador was an international point of reference for the protection of the rights of persons with disabilities: indeed, the President-elect, Lenin Moreno, had previously held the post of Special Envoy of the Secretary-General on Disability and Accessibility. The delegation also mentioned the significant improvement in morbidity and mortality rates and noted that Ecuador had successfully reduced the child labour rate from 12.5 per cent in 2007 to 5.9 per cent in 2015.

13. Ecuador was one of the few States whose multinational and intercultural nature was recognized in its Constitution. It also had advanced legislation in the field of human mobility and welcomed the largest number of refugees in Latin America.

14. The delegation highlighted the comprehensive transformation of the penitentiary system, which included, inter alia, an investment of more than $300 million to combat overcrowding and allow adequate social reintegration; an increase of 50 per cent in the number of judges per 100,000 inhabitants and measures to improve the efficiency of the justice system while ensuring the independence of the judiciary.

15. Ecuador enjoyed a vibrant democracy and guaranteed freedom of association and expression. The delegation noted that discriminatory or defamatory messages could be spread by the media and that, therefore, the 2013 Organic Act on Communication, while guaranteeing the right to freedom of expression, also gave rise to responsibilities for the opinions expressed.

16. Ecuador had been able to guarantee the enjoyment of human rights during the humanitarian emergency caused by the April 2016 earthquake. In the wake of the earthquake, Ecuador had reconstructed 912 schools and 9 health centres and completed the construction of 12,220 homes.

17. Ecuador had taken several initiatives at the international level, such as the development of a binding legal instrument on transnational corporations and human rights. Ecuador was committed to strengthening the global agenda for fiscal justice and the creation of an intergovernmental fiscal body.

18. To conclude, the delegation stressed that Ecuador had been able to achieve those positive results presented through creative and sovereign political decisions. It had introduced a new social pact to promote both human beings and nature, a comprehensive and sustainable concept of development called "good living", and an heterodox vision of financing development and had rethought its international relations. That had allowed Ecuador to meet 20 of the 21 targets of the Millennium Development Goals and transform the human rights situation in the country.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 83 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

20. The Bolivarian Republic of Venezuela welcomed the fact that from 2006 to 2016 1.5 million people had been lifted out of poverty and that between 2008 and 2016 investment in education had increased almost 300 per cent.

21. Algeria welcomed the State's effective engagement to promote women's participation in public life and improve the system of social rehabilitation, including by improving the prison infrastructure and establishing a new management model.

22. Angola welcomed the National Plan for Good Living 2013-2017, the 2012 Organic Act on Disabilities and the policies aimed at eradicating poverty. Angola noted with concern inequalities between different social groups.

23. Argentina welcomed the adoption of the national education plan 2016-2025. It noted that special attention should be paid to the fight against impunity.

24. Armenia commended the adoption of legislation setting the minimum age of marriage at 18 and encouraged Ecuador to address sexual violence against girls in the education system and update the national plan to combat trafficking and sexual and labour exploitation.

25. Australia was concerned by the high incidence of violence against women, while noting the steps taken to combat gender-based violence. It was further concerned by the removal and appointment of judges through mechanisms that might be perceived as undermining judicial independence.

26. Azerbaijan noted that, further to the recommendation it had made during the second review cycle concerning measures aimed at reducing poverty, Ecuador had made efforts and increased investment in social programmes, despite budgetary constraints.

27. The Bahamas noted the remarkable reduction in poverty and inequality. It considered noteworthy the increased political participation of women, reductions in unemployment and pretrial detention and championing of disability rights.

28. Bangladesh noted the reduction in income inequality during the previous decade. It considered the State's model of universal health-care access and promotion of migrant's rights to be exemplary. It noted that the independence of the judiciary was the cornerstone fundamental to ensuring human rights.

29. Belarus welcomed the measures guaranteeing socioeconomic rights, including by increasing the funding for and coverage of the social welfare system. Further efforts in the field of education would create favourable conditions for full and active participation in public life.

30. Belgium welcomed the measures to combat forced child labour and the increased budgets for education and children's health. It expressed concern regarding the growing obstacles to freedom of expression and association and to the work of human rights defenders.

31. The Plurinational State of Bolivia welcomed legislative measures to fight discrimination and reforms promoting the right to good living, such as the reduction in illiteracy, particularly among indigenous women and the rural population.

32. Botswana noted the State's efforts to improve the criminal justice system, but expressed concern regarding the frequent use by the Council of the Judiciary of the internal disciplinary system to dismiss judges and the imposition of harsh sentences on government critics and opposition members.

33. Brazil commended the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) and the 1961 Convention on the Reduction of Statelessness. It welcomed the criminalization of torture and offences referred to in the Rome Statute of the International Criminal Court.

34. Canada welcomed the adoption of certain laws on freedom of association and civic space. It encouraged Ecuador to further its efforts to ensure the full alignment of the State's domestic laws with its international human rights obligations.

35. Chile welcomed the adoption of the Comprehensive Criminal Code, which criminalized femicide. Chile expressed concerns regarding the delay in the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

36. China welcomed the measures taken to promote the rights of persons with disabilities, women and minorities, to eradicate illiteracy, to combat violence against women, to reform the judiciary and to improve prison infrastructure.

37. Costa Rica welcomed the State's investment in social programmes. It also highlighted the increase in women's political participation, the implementation of the National Plan for Good Living and the progress made with regard to access to justice.

38. Côte d'Ivoire noted that progress in the field of human rights should lead towards the full establishment of the rule of law. Despite major ongoing challenges, human rights promotion and protection should be the priority in reconstruction efforts.

39. Cuba welcomed the advances in the health, education, and the rights of people with disabilities, of children and of women. It also appreciated the implementation of the SIDERECHOS (Sistema de Información sobre Derechos Humanos, namely the human rights information system) web platform and the State's leadership in the promotion of a legally binding instrument on transnational corporations and human rights.

40. Czechia appreciated the State's informative presentation, which included responses to some of its advance questions.

41. The Democratic People's Republic of Korea noted the adoption of positive policies and programmes for vulnerable people and the strengthening of national human rights institutions.

42. Djibouti welcomed the State's ratification of the core international human rights instruments and its full cooperation with most human rights mechanisms.

43. The Dominican Republic welcomed the implementation of the National Plan for Good Living and the State's achievements with regard to the rights of vulnerable groups. It also highlighted the leadership of Ecuador in the promotion of a legally binding instrument on transnational corporations and human rights.

44. Egypt congratulated Ecuador for its promotion of all human rights and for the advances made in the areas of poverty reduction, education, health and housing, among others.

45. El Salvador welcomed the fact that Ecuador had a national human rights institution with A status and praised the adoption of the National Plan for Good Living and the law on disabilities.

46. Estonia recognized some positive developments and took note with regret that no special procedure mandate holders had visited the country despite numerous requests and the State's standing invitation.

47. Ethiopia commended the legal and policy framework adopted by Ecuador and noted with satisfaction achievements such as the participation of women in public life and the investment in social poverty eradication programmes.

48. France thanked the State for presenting its progress in human rights, especially in the areas of health and the fight against poverty, and its efforts to improve the legislative framework on women's and lesbian, gay, bisexual, transgender and intersex rights.

49. Georgia noted the introduction of the Organic Act on National Equality Councils and the Organic Act on Disabilities. It welcomed the ratification of the Convention on the Reduction of Statelessness and the prioritizing of eradication of gender-based violence.

50. Germany commended the progress made, especially the State's investment in education and health and the decrease in poverty. It remained concerned about the shrinking space for civil society.

51. Ghana welcomed the ratification of the ILO Workers with Family Responsibilities Convention, 1981 (No. 156) and the adoption of both the Comprehensive Criminal Code and the National Plan for Good Living 2013-2017. It was concerned about discrimination against women and Afro-Ecuadorians.

52. Greece acknowledged the adoption of the Comprehensive Criminal Code and the criminalization of torture. It welcomed the adoption of the National Plan for Good Living and the Organic Act on Disabilities.

53. Guatemala welcomed the adoption of the Organic Act on National Equality Councils. It urged Ecuador to implement a national policy to fight racism and discrimination, with the effective participation of groups that faced discrimination.

54. Haiti praised the success of social and economic programmes, especially in reducing poverty and inequality. It welcomed improvements in the rights of women, especially their participation in public life.

55. Honduras underscored outstanding achievements in the reduction of poverty and income inequality. It congratulated Ecuador for extending an invitation to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

56. Hungary welcomed the significant efforts made in the field of education and the increase in girls' enrolment. It was concerned by the persistence of discrimination against women and encouraged Ecuador to combat gender stereotypes.

57. Iceland noted the steps taken to promote gender equality. It noted with regret restrictive legal requirements for abortions. Iceland asked about steps taken to implement the recommendations Ecuador had accepted in the previous review cycle on the issue of banning corporal punishment.

58. Indonesia commended Ecuador for reducing inequalities and noted the adoption of the Organic Act on National Equality Councils and the Act on Health Care and Medical Assistance.

59. The Islamic Republic of Iran noted the progress made to improve prison infrastructure, the participation of women in public life and in the education system and the increased investment in social programmes.

60. Iraq commended Ecuador for the progress made with regard to ensuring gender equality in participation in public life, combating racial discrimination and tackling illiteracy.

61. Ireland noted the progress made in promoting the rights of children and urged Ecuador to introduce legislation to prohibit corporal punishment. It was concerned at reports of the excessive use of force by security forces during protests and demonstrations.

62. Israel stated that despite some progress in specific areas, many issues still raised concern.

63. Italy noted the State's achievements in implementing the National Plan for Good Living and encouraged Ecuador to continue its efforts to promote and protect human rights.

64. In response to some of the questions received, the delegation stated that Ecuador had adopted a number of laws to protect human rights, such as the 2014 Comprehensive Criminal Code, which codified crimes against humanity; the Organic Act on Labour Justice, which regulated the conditions of domestic work, guaranteed access to social security for housewives and prohibited the dismissal of pregnant women, the 2015 law amending the Civil Code prohibiting the marriage of persons under the age of 18 and establishing that either spouse could administer their "conjugal society". In 2012 the National Assembly had regulated the process of pre-legislative consultation and applied it to the drafting of a number of laws. The delegation stressed that never before had legislative processes had such a high level of citizen participation.

65. The transformation of the Ecuadorian justice system had received international recognition and was highly valued by the population. Ecuador implemented rigorous merit-

based selections of judicial officials, complemented by a disciplinary system in line with the Constitution, international treaties and the jurisprudence of the Inter-American Court of Human Rights. In that regard, the delegation highlighted that the legal concept of "inexcusable error" was also used in other countries and did not affect judicial independence.

66. In Ecuador, freedoms of expression and opinion were constitutionally guaranteed and were part of the core group of rights that were directly applicable. The 2013 Organic Act on Communication had been drafted in a participatory manner and was consistent with article 19 of the International Covenant on Civil and Political Rights. The law expressly prohibited prior censorship, protected those participating in the communication process, promoted intercultural communication, contained clear provisions against discrimination and included, for the first time, the right to reply and rectification, as foreseen under article 14 of the American Convention on Human Rights.

67. The delegation stressed that the law on communication covered administrative infractions only, clearly defined the acts that constituted violations and their respective reparations and fully guaranteed the right to defence.

68. Ecuador highlighted that its security policy was people-centred and that the national police had adopted a community-based approach. As a result, Ecuador had experienced a drastic reduction in crime and was now one of the safest countries in the region. In 2015, the armed forces had been allowed, through a constitutional amendment, to provide complementary support to the police in strict compliance with the law. In order to implement that mandate, members of the armed forces had been trained in human rights and clear protocols had been established.

69. The delegation also stressed that a state of exception or emergency had been declared during natural disasters, such as the 2015 eruption of the Cotopaxi volcano and the 2016 earthquake, to allow the Government to take appropriate measures to protect the rights of the population. Notifications of all emergency decrees had been submitted to the Constitutional Court and international organizations.

70. Libya noted the positive developments in the area of sustainable development and the protection of human rights, including the implementation of the National Plan for Good Living.

71. Liechtenstein stated that, in the Comprehensive Criminal Code, the classification of offences committed in the context of armed conflicts did not cover all the acts contained in the Rome Statute of the International Criminal Court. It noted that a law on prohibiting corporal punishment had not yet been enacted.

72. Malaysia noted the adoption of the National Plan for Good Living 2013-2017, efforts to encourage the participation of women in all levels of decision-making and an increase in spending in education.

73. The Maldives commended Ecuador for its initiatives to eradicate poverty and promote inclusive education for children with special needs. It acknowledged the progress made in reducing unemployment.

74. Mexico recognized the progress made by Ecuador in the fight against discrimination. It welcomed the legislation on human mobility, aimed at protecting the rights of migrants, refugees and asylum seekers.

75. Montenegro encouraged Ecuador to strengthen and consolidate an environment for the work of human rights activists. It commended the progress achieved in education, but noted challenges in access to education of indigenous and Afro-Ecuadorian women.

76. Morocco noted the efforts of Ecuador to implement the Millennium Development Goals and the Sustainable Development Goals and the progress achieved in education, as a part of efforts to achieve Sustainable Development Goal 4, including an increase in investments to promote free and inclusive quality education.

77. Mozambique noted the devastating consequences of the earthquake in 2016. It commended Ecuador for its efforts to reduce poverty and for its successful implementation of a gender-affirmative policy.

78. Myanmar commended Ecuador for its active engagement with the United Nations human rights mechanisms and for its efforts to ensure equal access and opportunities to vulnerable groups, including persons with disabilities.

79. Namibia noted that despite the 2016 earthquake, Ecuador had made progress in the areas of poverty eradication, education, health and the protection of vulnerable groups. Namibia could benefit from the State's experience in reducing the inequality gap.

80. The Netherlands noted the State's engagement in the area of business and human rights. It noted that the separation of powers between the executive and the judicial branches of government, the space for civil society and the protection of human rights by businesses did not meet international standards.

81. Nicaragua noted with appreciation the Millennium Development Goals that had been attained by Ecuador, the reduction in inequality and the advances in the field of the right to education, among others.

82. Norway noted measures taken in line with the recommendations made during the previous review and the progress made in promoting the rights of women.

83. Pakistan noted the efforts of Ecuador to implement the recommendations received during the previous universal periodic review and to promote and protect human rights.

84. Panama acknowledged the State's efforts to eradicate statelessness and its accession to the Convention on the Reduction of Statelessness. Panama also highlighted the enactment of legislation on a standardized identity document for both nationals and foreigners.

85. Paraguay welcomed the criminalization of femicide and of discrimination on grounds of sex, sexual orientation and gender identity. It also welcomed the implementation of the national plan to eradicate gender-based violence against women, children and adolescents.

86. Peru appreciated the significant reduction in poverty and inequality, the significant progress made in health coverage and education and the measures taken to include persons with disability.

87. The Philippines commended Ecuador for reducing inequality and increasing investment in public education. It noted the State's continued commitment to human rights, despite the challenges resulting from the 2016 earthquake.

88. Portugal commended the implementation of the National Plan for Good Living 2013-2017, the 2012 Organic Act on Disabilities and the national plan to eradicate gender-based violence against women, children and adolescents.

89. The Republic of Korea welcomed the comprehensive legislation and policy framework for the elimination of discrimination against women, persons with disabilities and minorities. It encouraged Ecuador to continue its efforts to improve national laws and policies so as to ensure full respect for human rights.

90. The Russian Federation noted the implementation of recommendations from the previous review, the Government's efforts to combat corruption and the results of various social projects.

91. Sierra Leone commended the State's efforts to promote human rights, notably through its national education plan 2016-2025 and the Comprehensive Criminal Code. It noted reports on poverty and the marginalization of Afro-Ecuadorians.

92. Singapore commended the efforts of Ecuador in dealing with the devastating earthquake. It recognized the commitment to eradicating poverty and raising the standard of living through programmes such as My First Job.

93. Slovakia acknowledged the State's efforts to tackle gender-based violence. It commended Ecuador for the adoption of the new Organic Act on Human Mobility. It was concerned about the penitentiary and criminal provisions used against human rights defenders.

94. Slovenia was concerned about women's limited access to therapeutic abortions. It encouraged Ecuador to reduce the discrepancy in access to education between the general population and the indigenous population.

95. South Africa commended Ecuador for the increased investment in social programmes and the work undertaken in the context of the International Decade for People of African Descent.

96. Spain underscored measures adopted to reform the judiciary in order to strengthen its independence, in line with previous recommendations made by Spain and accepted by Ecuador in the context of the universal periodic review process.

97. Sri Lanka highlighted the Government's efforts to implement the National Plan for Good Living 2013-2017 and, following the earthquake of April 2016, encouraged the State to invest in disaster risk reduction measures.

98. The State of Palestine underscored the State's efforts on quality education and the environment, as well as the progress achieved in the implementation of accepted recommendations from the previous review.

99. Sweden stated that, despite the fact that Ecuador had accepted previous review recommendations on freedom of expression, a new communications law had been passed in 2013 that limited freedom of expression and allowed the Government to restrict the media.

100. Switzerland was concerned about the situation relating to freedom of expression and the harassment and intimidation of civil society organizations, particularly those that defended the rights of indigenous peoples, minorities and human rights defenders.

101. Thailand applauded the establishment of the national equality councils but remained concerned by ongoing discrimination on the basis of gender and race. It welcomed the development of the SIDERECHOS platform.

102. Timor-Leste welcomed the adoption of the Comprehensive Criminal Code, the Organic Act on National Equality Councils and the National Plan for Good Living 2013-2017. It also appreciated the efforts made to promote and protect women's rights.

103. Turkey welcomed the introduction of a minimum age for marriage, namely 18 years, in line with previous recommendations. It also welcomed the increased participation of women in public life and encouraged the State to strengthen efforts to promote and protect women's rights.

104. Uganda noted the ratification of the ILO Domestic Workers Convention, 2011 (No. 189), the ILO Workers with Family Responsibilities Convention, 1981 (No. 156) and the Convention on the Reduction of Statelessness, in line with previous recommendations. It welcomed the National Plan for Good Living and the Organic Act on Disabilities.

105. Ukraine encouraged Ecuador to continue its efforts to implement and update an information system to follow up on recommendations made by human rights mechanisms, combat racism and racial discrimination and ensure the proper functioning of the Ombudsman's Office.

106. The United Kingdom of Great Britain and Northern Ireland urged an equitable and balanced application of the Organic Act on Communication. It encouraged Ecuador to respect the rights of indigenous people and to consult them fully on projects that might have an impact on them.

107. The United States of America was concerned about the restrictions on freedom of speech and on civil society organizations and about the lack of judicial independence caused by the executive branch exerting pressure on the judiciary.

108. Uruguay welcomed the State's achievements in the fields of health, child labour and efforts to fight discrimination on grounds of sexual orientation and gender identity.

However, it was concerned about cases of forced internment of lesbian, gay, bisexual, transgender and intersex people in so-called rehabilitation centres.

109. The delegation of Ecuador reaffirmed that human rights were central to the State's policies and enumerated a number of initiatives in that regard, such as the establishment of the Ministry of Justice, Human Rights and Religious Affairs, the creation of the Truth Commission to investigate serious human rights violations committed between 1984 and 2008 and the enactment of the "Victims' Law", which created the intangible reparation programme implemented by the Ombudsman's Office.

110. The eradication of gender-based violence was also a national priority and the State was implementing its national plan to eradicate gender-based violence against women, children and adolescents. The delegation reaffirmed that Ecuador did not criminalize social protest and there were no political prisoners or human rights defenders in detention.

111. In 2011, Ecuador had created the national preventive mechanism, with specialized staff, adequate funding and full access to detention centres.

112. Ecuador thanked the United Nations for its support in establishing SIDERECHOS, a computer platform that had been used for the preparation of its universal periodic review report and would be crucial to ensure the follow-up to the recommendations received.

113. With regard to freedom of association, the delegation noted that Ecuador recognized all forms of organizations and had strengthened their participation at all levels of government. The State's commitment to freedom of association was also demonstrated by the increase in the number of organizations registered in the unified information system on social organizations from 1,270 in 2011 to 90,464 in 2017.

114. Ecuador provided universal and free health coverage for both Ecuadorians and foreigners. It had removed the barriers that had prevented access to health for vulnerable or marginalized groups and eliminated all forms of discriminatory or degrading treatment. Within that framework, the State had explicitly prohibited the practice of "dehomosexualization" and closed 25 centres that engaged in the practice.

115. Ecuador had also made significant progress in the area of sexual and reproductive health and had developed a national plan on sexual and reproductive health for 2017-2021. The delegation noted that the Constitution protected life from the point of conception and that, in addition to the cases in which abortion had been decriminalized, Ecuador guaranteed medical care in all cases of obstetric emergency.

116. Ecuador thanked delegations for their constructive participation, welcomed the encouraging comments received and stressed that, in order to maintain its credibility, the universal periodic review should not be politicized. Ecuador invited all countries to join its initiative for the development of a binding instrument on transnational corporations and human rights and to work together on issues such as combating tax evasion and promoting financing for development and human rights. The delegation concluded by stating that it was sure that the Government of President Lenín Moreno, which would be sworn in on 24 May, would continue efforts to guarantee human rights and to build an inclusive and democratic society.

II. Conclusions and/or recommendations

117. **The recommendations formulated during the interactive dialogue/listed below have been examined by Ecuador and enjoy the support of Ecuador:**

117.1 **Update and continue implementing the National Plan for Good Living (Nicaragua);**

117.2 **Boost its recent ratification of the 2013 Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, in order to benefit blind people, people with visual disability or with other difficulties to access printed texts (Panama).**

118. **The following recommendations enjoy the support of Ecuador, which considers that they are already implemented or in the process of implementation:**

118.1 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (El Salvador) (Georgia) (Montenegro) (Portugal); Ratify the Optional Protocol to the Convention on the Rights of the Child (Hungary) on a communications procedure; Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Ghana);**

118.2 **Ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (Ghana);**

118.3 **Continue its constructive engagement with the Human Rights Council and its mechanisms (Myanmar);**

118.4 **Intensify cooperation with the Special Rapporteurs including by allowing them to visit the country (Ukraine);**

118.5 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

118.6 **Continue and strengthen its relationship of cooperation with the Office of the United Nations High Commissioner for Human Rights in order to develop an instrument for follow-up to the recommendations of the system's mechanisms (Honduras);**

118.7 **Ensure its legislation is in line with the International Covenant on Civil and Political Rights (Hungary);**

118.8 **Develop a comprehensive deinstitutionalization plan for people with disabilities that aims to support their life in their communities, and ensure inclusive education for people with disabilities (Israel);**

118.9 **Take all necessary measures to ensure that the national mechanism for the prevention of torture has a solid legal basis and enough resources for the fulfilment of its mandate (Guatemala);**

118.10 **Continue implementing the SIDERECHOS computer platform, an important tool for the monitoring, follow-up and implementation of the recommendations of the universal periodic review (Paraguay);**

118.11 **Ensure the respect of human rights of vulnerable persons, notably women, older persons, children, as well as persons with disabilities and with reduced mobility (Côte d'Ivoire);**

118.12 **Make specific efforts to combat discrimination and to improve the levels of education and health of its people (Sri Lanka);**

118.13 **Further strengthen the work of national councils for equality to promote inclusive society (Malaysia);**

118.14 **Develop and implement a national action plan for the implementation of the activities of the International Decade for People of African Descent (Sierra Leone);**

118.15 **Strengthen efforts to address racial discrimination including through implementing the Multinational Plan to Eliminate Racial Discrimination and Ethnic and Cultural Exclusion (South Africa);**

118.16 **Ensure adequate training for court officials handling cases of discrimination (Timor-Leste);**

118.17 **Progress efforts to end discrimination based on sexual orientation, gender identity and intersex status (Australia);**

118.18 **Continue to increase efforts to end discrimination against lesbian, gay, bisexual, transgender and intersex persons (Uruguay);**

118.19 **Guarantee the protection of all people from discriminatory norms and practices on the grounds of sexual orientation and gender identity in all spheres of life (Spain);**

118.20 **Continue promoting the rights of lesbian, gay, bisexual, transgender and intersex persons and protect them from violence and social and cultural discrimination (Chile);**

118.21 **Take all appropriate measures to prevent, investigate and punish manifestations of violence, intolerance and discrimination against lesbian, gay, bisexual, transgender and intersex people (Israel); Investigate, prosecute and punish those responsible for acts of violence against lesbian, gay, bisexual, transgender and intersex persons as part of its efforts to combat stereotypes and bias against them (Argentina);**

118.22 **Intensify efforts to raise public awareness to end all forms of discrimination by providing human rights education and training for government agencies, media and the public and implementing campaigns to combat gender stereotypes and violence (Thailand);**

118.23 **Fight against discrimination based on sexual orientation and gender identity, especially against children, carrying out public awareness programmes and teacher training on this subject (France);**

118.24 **Continue efforts aimed at strengthening the measures necessary for the protection of the rights of older persons (Morocco);**

118.25 **Pursue its policy regarding protection of the rights of nature (Algeria);**

118.26 **Step up efforts to pursue policies and programmes for a healthy environment (Philippines);**

118.27 **Advance in the implementation of the Guiding Principles on Business and Human Rights at the national level as a complement to Ecuador's efforts to establish a binding instrument on transnational corporations and human rights (Chile);**

118.28 **Pursue ongoing efforts to conclude an internationally binding instrument on transnational corporations and business and human rights (Egypt);**

118.29 **Maintain the leadership in the process for the elaboration of a legally binding instrument on transnational companies and human rights (Cuba);**

118.30 **Continue your claims in light of the refusal of transnational companies to repair the serious environmental damage in the Amazon (Cuba);**

118.31 **Ensure training for law enforcement and security forces in relation to human rights standards in management of peaceful assemblies, ensure all allegations of excessive use of force and arbitrary detention are investigated and that perpetrators are prosecuted (Ireland);**

118.32 **Ensure the prevention and effective investigation of forced disappearances of and violence against women (Sweden);**

118.33 **Take the necessary measures to eliminate cases of torture in prisons (Iraq);**

118.34 **Acknowledge the existence of the so-called "rehabilitation clinics" and "sexual reorientation" therapies and take measures to eradicate them (Israel);**

118.35 **Eliminate practices of forced placement in clinics for treatment to allegedly "cure" the sexual orientation or gender identity of lesbian, gay,**

bisexual, transgender and intersex persons, and ensure due accountability for the persons responsible, as well as full reparation for victims (Portugal);

118.36 **Ensure judicial independence and diversity in judicial appointments (Australia);**

118.37 **Take steps to ensure and protect the full independence and impartiality of the judiciary (Estonia);**

118.38 **Take all the necessary steps in order to ensure the independence of the judiciary (Greece);**

118.39 **Ensure and protect the full independence and impartiality of the judiciary and guarantee that it can carry out its judicial functions without any form of pressure or interference (Israel);**

118.40 **Continue its efforts for the judicial reforms to promote and protect the independence of judiciary (Pakistan);**

118.41 **Strengthen efforts to ensure and protect the full independence and impartiality of the judiciary, and facilitate a broad and participatory dialogue on the challenges in the administration of justice (Paraguay);**

118.42 **Comply with its commitments to guarantee and strengthen the independence of the judiciary (Slovakia);**

118.43 **Continue to adopt further measures to guarantee the independence and professionalization of the judicial power (Spain);**

118.44 **Strive to ensure the full separation of the judiciary from the executive branch as far as appointments of senior judicial officials are concerned (Bangladesh);**

118.45 **Take measures including investigation of unfair dismissal of judges and ensure the independence and impartiality of the judicial system (Botswana);**

118.46 **Further continue ensuring equal access to justice and equal treatment of all Ecuadorians by the courts (Ethiopia); Continue its efforts to guarantee access to justice to all (Azerbaijan);**

118.47 **Continue efforts to ensure the independence and impartiality of the judiciary, especially with respect to the rights of the defence and to transparency in judicial procedures (France);**

118.48 **Establish mechanisms to ensure that investigations of allegations of grave human rights violations are conducted in a comprehensive, independent and impartial manner to expedite sanction and redress procedures (Mexico);**

118.49 **Take urgent measures to accelerate judicial investigations and punish the perpetrators of the human rights violations described in the report of the Truth Commission (Argentina);**

118.50 **Continue upholding high standards in ensuring the right to vote, also in the future (Russian Federation);**

118.51 **Align national laws and regulations on freedom of expression with international human rights standards (United Kingdom of Great Britain and Northern Ireland);**

118.52 **Take additional steps to ensure that national laws and regulations are fully aligned with international standards, with a view to safeguarding freedom of expression and the right to peaceful assembly (Brazil);**

118.53 **Protect journalists, human rights defenders and other representatives of civil society against acts of intimidation and violence to which their activities may expose them (Belgium); Take measures to ensure the protection of journalists and human rights defenders (Costa Rica);**

118.54 **Analyse the adoption of legal provisions and administrative actions to strengthen the free enjoyment of the rights of freedom of expression and association, as well as the independence and impartiality of the judiciary (Costa Rica);**

118.55 **Guarantee a safe and enabling environment to all human rights defenders, investigate all allegations of attacks, harassment and intimidation against them, and ensure that the legislation on freedom of expression, including online, is fully in compliance with article 19 of the International Covenant on Civil and Political Rights (Estonia);**

118.56 **Further enhance the freedom of expression, especially of journalists and social media users (Greece);**

118.57 **Guarantee a favourable environment for the work of all civil society actors active in the field of the protection and promotion of human rights (Hungary);**

118.58 **Establish specialized protection mechanisms to ensure the safe and independent work of civil society and human rights defenders (Mexico);**

118.59 **Develop all possible efforts to preserve freedom of expression in the media and social networks, in accordance with the recommendations of the universal and regional human rights systems (Peru);**

118.60 **Make efforts to review existing relevant legislation to secure the full exercise of the freedom of expression and association (Republic of Korea);**

118.61 **Promote, protect and respect the right to freedom of expression, assembly and association in compliance with the country's international human rights obligations (Slovakia); Take concrete measures to promote and protect the right to freedom of opinion and expression, in accordance with what is stated in article 19 of the Universal Declaration of Human Rights (Sweden);**

118.62 **Adopt the appropriate measures to guarantee the free exercise of the rights of assembly and association without unjustified restrictions and to respect the legitimate space of civil society, journalists and human rights defenders (Spain);**

118.63 **Adopt the necessary measures to ensure that the implementation of the Organic Act on Communication is in conformity with the right to freedom of expression and the relevant international standards (Switzerland);**

118.64 **Strengthen prevention of and protection against intimidation, threats and violence against civil society, including human rights defenders and trade unions critical of the Government, and fully guarantee freedom of expression, both offline and online (Czechia);**

118.65 **Fully guarantee freedom of expression and freedom of assembly and protect journalists and human rights defenders against threats and aggression (France);**

118.66 **Consolidate an environment suitable for human rights defenders and establish a mechanism for their protection (Republic of Korea); Further consolidate an environment suitable for the work of human rights defenders (Ukraine);**

118.67 **Ensure that it grants the right to freedom of association and the possibility for associations to carry out their work without undue restrictions (Sweden);**

118.68 **Strengthen legislation to combat trafficking, sexual and labour exploitation and other types of exploitation of persons, in particular women and children (Botswana);**

118.69 **Adopt a comprehensive law against trafficking in persons (Sierra Leone); Adopt a comprehensive law against trafficking in persons (Ukraine);**

Draw up and implement a comprehensive law on trafficking in persons (Armenia); Consider the possibility of adopting a separate law combating trafficking in persons (Belarus);

118.70 **Further intensify its efforts to combat human trafficking in line with implementing the National Plan and address properly protection of victims of human trafficking (Islamic Republic of Iran);**

118.71 **Consider updating the National Plan on combating human trafficking (Iraq);**

118.72 **Ensure the effective implementation of policies and operations aimed at dismantling trafficking networks and smuggling of migrants (Philippines);**

118.73 **Increase its efforts to implement the National Plan to Combat Trafficking in Persons (Timor-Leste); Increase efforts to implement the National Plan to Combat Trafficking in Persons (Turkey); Increase efforts to implement the National Plan to Combat Trafficking in Persons and the National Agenda on Equality for Human Mobility (Uganda);**

118.74 **Bring all legislation concerning communication surveillance into line with international human rights standards and especially require a test of necessity and proportionality for all communications surveillance (Liechtenstein);**

118.75 **Continue strengthening efforts to ensure the economic, social and cultural rights of citizens (Russian Federation);**

118.76 **Continue to promote socioeconomic development so as to improve people's living standards (China);**

118.77 **Further advance in pursuing the fair distribution of national wealth (Bolivarian Republic of Venezuela);**

118.78 **Strengthen measures to further reduce the gap in the redistribution of wealth as part of its ongoing efforts toward poverty eradication (Indonesia);**

118.79 **Continue its efforts in the fight against poverty and in favour of people in vulnerable situations (Paraguay);**

118.80 **Continue developing programmes to fight against poverty in Afro-Ecuadorian families and facilitate their full participation in public life (Djibouti);**

118.81 **Continue with its programmes for improving the living standards of its citizens, including indigenous peoples, Afro-Ecuadorians and Montubios (Namibia);**

118.82 **Improve access for Afro-Ecuadorians to decent housing, education and good living (Uganda);**

118.83 **In follow-up to recommendations 135.8, 135.9, 135.15 and 135.16 of the second cycle, increase economic and social investment to improve equality of access, opportunities and needs under the "Sumak Kawsay" programmes for Afro-Ecuadorian families and to facilitate their full participation in public life (Haiti);**

118.84 **Continue to take effective measures to fully implement its SigTierras programme in order to ensure that rural women have equal access to land titles (Namibia);**

118.85 **Carry out the necessary measures to protect the environment and adopt specific measures to protect the enjoyment of the right to water (State of Palestine);**

118.86 **Expand social security coverage and ensure equal access for ethnic minorities (China);**

118.87 **Continue efforts to recognize decent work, to reduce structural underemployment and gradually expand the purchasing power of labour income, in the context of strengthening the social and solidarity-based economic system (Nicaragua);**

118.88 **Continue to implement policies that increase access to employment, in particular for youths and in rural areas (Singapore);**

118.89 **Introduce targeted strategies and labour market reforms to promote women's increased participation in formal sector employment, including by alleviating barriers to such participation (Bahamas);**

118.90 **Continue efforts to allow women access to formal employment (Algeria);**

118.91 **Continue efforts to end child labour through the establishment of an inter-agency coordination mechanism at the national and subnational levels in order to implement the National Plan for the Prevention and Eradication of Child Labour (Maldives);**

118.92 **Reinforce the relevant legislative provisions to reduce child labour and to punish those who contravene them (Panama);**

118.93 **Continue efforts to further reduce child labour and to punish those who employ children, in clear violation of the legislative provisions relating to child labour (Uruguay);**

118.94 **Continue efforts to promote health-care facilities, particularly in rural areas with the focus on tackling malnutrition (Malaysia);**

118.95 **Continue its efforts to improve health through expanding its Zero Malnutrition programme to cover as much of its population as possible (Maldives);**

118.96 **Continue to develop, implement, monitor and strengthen policies to reduce rates of obesity and the incidence of non-communicable diseases (Bahamas);**

118.97 **Continue to strengthen measures to deal with teenage pregnancies, by promoting access to reproductive health services for all, including sexual and reproductive health education, as well as counselling services and health care adapted to young people, in accordance with the commitments in the Montevideo Consensus on Population and Development (Uruguay);**

118.98 **Ensure that all girls and women have access to comprehensive sexual and reproductive health promotion and care, including access to modern contraceptive methods (Estonia); Ensure that all women and girls have access to affordable and modern contraceptive methods (Iceland);**

118.99 **Implement its comprehensive health promotion policy and its policy framework for the elimination of discrimination against women (South Africa);**

118.100 **In line with ongoing efforts in the field of sexual and reproductive health, take measures to combat violence against women and promote gender equality (France);**

118.101 **Continue efforts to reform the education system because it is an important element to reduce poverty (Morocco);**

118.102 **Continue to increase investment in education and strengthen infrastructure for education (China);**

118.103 **Continue to reduce the gap between urban and rural areas in the field of education (Democratic People's Republic of Korea);**

118.104 **Step up efforts to ensure access to quality education for all children, including those from minority groups and rural areas (Thailand);**

118.105 Continue increasing public investment in education and continue its efforts to implement the strategies of educational inclusion, paying special attention to areas with difficult access and to children (State of Palestine);

118.106 Further continue efforts to eliminate the gap in accessing education between rural and urban areas and the dropout rates among indigenous and Afro-descendant students (Ethiopia);

118.107 In efforts to tackle the problem of illiteracy, continue to promote access to quality education in rural areas, which would bring long-term benefits to women, youths and indigenous groups in rural areas (Malaysia);

118.108 Continue the policy of inclusive education, especially in rural areas (Libya);

118.109 Pursue and scale up the implementation of inclusive education policies (Slovenia);

118.110 Continue its efforts towards implementation of the inclusive education policies it has developed (Azerbaijan);

118.111 Scale up the implementation of inclusive education policies, paying special attention to vulnerable groups (Ukraine);

118.112 Improve the educational system, particularly by enhancing access to marginalized groups and those living in remote areas (Indonesia);

118.113 Continue strengthening Ecuador's excellent education policy (Bolivarian Republic of Venezuela);

118.114 Take the necessary measures to ensure the full participation of all citizens, in particular vulnerable groups, in the education system and in the administration of public affairs (Angola);

118.115 Continue to ensure access to quality education for all Ecuadorians through continuous improvements in the training of educators (Singapore);

118.116 Increase access to quality education by indigenous and Afro-Ecuadorian women and those in rural areas (Bahamas);

118.117 In follow-up to recommendations 135.8, 135.48 and 135.55 of the second cycle, continue to improve the quality of public education, particularly for those living below the poverty line, with emphasis on psychological health and the psychosocial elements of a quality learning environment (Haiti);

118.118 Continue promoting access to education and the design of public policies aimed at increasing education coverage for girls living in rural areas, in particular indigenous and Afro-Ecuadorian girls (Chile);

118.119 Continue combating all forms of discrimination against women (Djibouti);

118.120 Step up efforts to eliminate all forms of discrimination against women (Greece);

118.121 Address social and cultural stereotypes underpinning discrimination and violence against women and ensure women's participation in decision-making (Ukraine);

118.122 Strengthen efforts to prevent and combat all forms of discrimination and violence against women and children and other vulnerable groups (Italy);

118.123 Intensify measures, including human rights training, to raise awareness of gender equality (Turkey);

118.124 Continue efforts to eradicate gender-based violence (Georgia);

118.125 Continue its efforts to reduce and eradicate gender-based violence, ensuring due diligence in the pursuit and prosecution of acts of this nature and

providing relevant training to the competent authorities on the protection of, and prevention of violence against, women and girls (Nicaragua);

118.126 Continue to improve the procedures for prosecuting and sanctioning those responsible for acts of violence against women, as well as guaranteeing constant monitoring of the implementation of the national plan to eradicate gender-based violence against children (El Salvador);

118.127 Further strengthen mechanisms fostering prosecution of all perpetrators of gender-based violence (Slovakia);

118.128 Constantly monitor the implementation of the national plan for the eradication of gender-based violence against children adolescents and women, in order to ensure the proper investigation, prosecution and punishment of the persons responsible for acts of violence against women (Portugal);

118.129 Intensify efforts in the fight against violence against women and child abuse, to guarantee that normative and institutional measures adopted are effective to address the problem (Spain);

118.130 Systematically collect data on violence against women, sexual violence and trafficking (Sweden);

118.131 Ensure that women victims of violence receive appropriate help and perpetrators are brought to justice (Italy);

118.132 Grant all the necessary resources for the establishment of the judicial units specialized on legal provisions related to violence against women (Panama);

118.133 Strengthen protection mechanisms for women victims of violence, from the first moment of the complaint (Paraguay);

118.134 Further strengthen the human rights institutions to ensure better protection of the rights of children, women and indigenous people (Pakistan);

118.135 Continue to implement administrative and judicial measures for the effective protection of women and girls against sexual violence and abuse and for the punishment of perpetrators (Brazil);

118.136 Continue strengthening universal birth registration services in the country, ensuring that they are free and accessible to all (Slovakia);

118.137 Prohibit corporal punishment of children in all settings (Iceland);

118.138 Introduce and enforce legislation prohibiting corporal punishment of children in all settings, including in the family, schools and all places of deprivation of liberty (Liechtenstein);

118.139 Enact legislation to explicitly prohibit corporal punishment of children in all settings (Montenegro);

118.140 Continue combating all forms of child abuse (Djibouti);

118.141 Ensure that all ill-treatment and sexual violence against children in educational settings is promptly, efficiently and impartially investigated, that perpetrators are brought to justice and that the victims receive reparation and are provided with the protection and support they require (Belgium);

118.142 Implement, consistently, norms and public policies to promote the rights of people with disabilities (Cuba);

118.143 Make further efforts for the protection of rights of persons with disabilities and share good experiences in this regard (Democratic People's Republic of Korea);

118.144 Continue taking measures in order to protect the rights of persons with disabilities and develop programmes to ensure their enjoyment of their rights to education, health, housing and labour (Egypt);

118.145 Continue to address the promotion and protection of the rights of persons with disabilities by developing specific employment programmes (Islamic Republic of Iran);

118.146 Continue efforts to ensure that persons with disabilities can find employment and to provide them with medical assistance in rural areas (Libya);

118.147 Strengthen measures to enhance the welfare of vulnerable groups including persons with disabilities (Myanmar);

118.148 Strengthen suitable mechanisms for the identification of situations of violence against persons with disabilities (Paraguay);

118.149 Continue with the policies promoting the human rights of vulnerable groups, in particular indigenous peoples, peasants and other persons working in rural areas (Plurinational State of Bolivia);

118.150 Strengthen the measures Ecuador has taken to address the needs of indigenous peoples (Côte d'Ivoire);

118.151 Continue efforts to establish effective consultation processes with communities in accordance with international standards with regard to any project that affects the territory or livelihoods of indigenous people (El Salvador); Further strengthen consultations with indigenous populations to fulfil their economic, social and cultural rights (Republic of Korea); Develop transparent procedures for prior consultations with indigenous peoples on the use of indigenous lands (Sierra Leone); Establish effective consultation processes with the indigenous peoples and communities concerned for any project that might affect their territory or livelihoods (Estonia); Institutionalize the right to consultation of indigenous peoples and involve civil society and indigenous groups in the elaboration of a functioning consultation mechanism according to the country's commitments under the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Norway); Promote the active participation of indigenous people in the decision-making process on issues concerning them, especially regarding land and territories (Peru);

118.152 Ensure the effective holding of prior, free and informed consultations with indigenous groups on policies that affect their way of life or culture (Mexico);

118.153 With the participation of indigenous persons, communities and their respective organizations, adopt a legal framework that ensures respect for the principles in the United Nations Declaration on the Rights of Indigenous Peoples (Canada);

118.154 Strengthen its human rights protection mechanisms for vulnerable groups and indigenous peoples (Greece);

118.155 Take adequate measures to guarantee the protection of isolated indigenous peoples, including the respect for intangible zones (Norway);

118.156 Redouble its efforts to obtain, in law and in practice, the inclusion of migrants in all spheres, in particular of women in the labour market (Honduras);

118.157 Expedite the introduction of a statelessness determination procedure and ensure that it is in line with international standards and guidance from the Office of the United Nations High Commissioner for Refugees (Slovakia).

119. The following recommendations will be examined by Ecuador, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:

119.1 Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);

119.2 **Fully cooperate with the International Criminal Court and fully align its national legislation with the obligations and definitions of crimes and principles contained in the Rome Statute and ratify the Kampala amendments to the Rome Statute (Liechtenstein);**

119.3 **Adhere to and adapt its national legislation to the Arms Trade Treaty (Guatemala);**

119.4 **Develop a national strategy to tackle modern slavery and contribute towards the realization of Sustainable Development Goal 8.7, and, as part of this, ratify the ILO Protocol of 2014 to the Forced Labour Convention, 1930, and build law enforcement capability to further facilitate the investigation, prosecution and conviction of human traffickers (United Kingdom of Great Britain and Northern Ireland).**

120. **The recommendations formulated during the interactive dialogue/listed below have been examined by Ecuador and have been noted by Ecuador:**

120.1 **End the policy of providing two different types of identity documents for trans and cisgender people (Israel);**

120.2 **Implement a national strategy to improve the situation and social integration of the Roma population (Hungary);**

120.3 **Take steps to recognize the Roma people as its own citizens and to protect them against racial discrimination (Bangladesh);**

120.4 **Develop and adopt a national action plan on business and human rights, including measures on access to remedy, paying special attention to the position of human rights defenders (Netherlands);**

120.5 **Review and amend the relevant legislation and practice in order to strengthen the independence of justice, ensure merit-based appointment of judges and protect their work against political interference (Czechia);**

120.6 **Guarantee the independence of the judiciary by reforming article 109, number 7, of the Organic Code of the Judiciary in order to clearly delimit, in accordance with international law, the figure of "inexcusable error", which is now insufficiently safeguarded against misuse for targeting judges (Netherlands);**

120.7 **Consider the adaptation of its legislation, especially the figure of "inexcusable error", in order to fully guarantee the independence of the judiciary (Peru);**

120.8 **Remove or alter the broad definition and arbitrary application of "inexcusable error" used by the Judicial Council to punish judges (United States of America);**

120.9. **Eliminate the catch-all clause "inexcusable error" in article 109 of the Organic Code of the Judiciary and create a legal framework to ensure the full independence and impartiality of the judiciary in compliance with the Basic Principles on the Independence of Judiciary (Germany);**

120.10 **Review article 109.7 of the Organic Code of the Judiciary with a view towards guaranteeing judicial independence, including through the independent selection of judicial authorities (Canada);**

120.11 **Fully respect the right to freedom of expression, association and peaceful assembly by reviewing the laws, policies and programmes that regulate civil society and by amending or repealing any laws that allow the State to use force against peaceful demonstrators, arbitrarily detain protestors, restrict civil space and arbitrarily shut down the activities of civil society organizations. Such laws include articles 336, 339, 345, 346 of the Comprehensive Criminal Code as well as articles 22, 23, 24 of Presidential Decree No. 739 (Canada);**

120.12 **Create and maintain in law and in practice a safe and enabling environment for civil society and human rights defenders, including by amending its laws to ensure compliance with the International Covenant on Civil and Political Rights and full independence of the judiciary in line with international standards (Ireland);**

120.13 **Guarantee freedom of expression and peaceful association and safeguard the activities of journalists and human rights defenders, also by amending relevant legislation in order to align it with best practices and international standards in the area of freedom of expression (Italy); Adopt the necessary legislative measures to ensure the full enjoyment of the right to freedom of opinion and expression in all its forms, through the elimination of excessive restrictions on its exercise (Mexico);**

120.14 **Review the Organic Act on Communication and relevant executive decrees so that media outlets, civil society organizations and trade unions can operate freely, cannot be arbitrarily sanctioned or disbanded and have access to effective remedy (Czechia); Address concerns arising under the Organic Act on Communication (2013) which impose an increased level of self-censorship on media outlets (Australia); Promote the exercise of freedom of expression without undue restrictions, by amending or repealing the 2013 Organic Act on Communication (United States of America);**

120.15 **Eliminate all forms of discrimination and criminalization of civil society organizations, human rights defenders and the media, inter alia by repealing Executive Decrees Nos. 16, 739 and 691 and the Organic Act on Communication and by ending criminal proceedings against persons participating in social protests based on broadly worded offences contained in the Criminal Code, such as sabotage and terrorism (Germany); Consider revising Executive Decree No. 739 on the regulation of social organizations and the Organic Act on Communication in the light of international commitments on human rights (Costa Rica); Revise Presidential Decrees Nos. 16 and 739, the Criminal Code, as well as the Organic Act on Communication to bring them into line with international human rights norms (Belgium); Reform Presidential Decrees Nos. 16 and 739 and any draft law in this field to ensure the protection of human rights defenders and to ensure the independence and functioning of civil society organizations, notably by accepting the offer of technical assistance from the United Nations special rapporteurs to reform the current legislation (Switzerland); Ensure civil society organizations are able to operate freely, including groups that may be critical of the Government, by amending or repealing Presidential Decrees Nos. 16 and 739 (United States of America);**

120.16 **Take the necessary steps to ensure that all operations of intelligence agencies are monitored by an independent oversight mechanism (Liechtenstein);**

120.17 **Advance in reforming the Criminal Code to decriminalize abortion (Norway); Repeal laws criminalizing abortion in cases of rape, incest and severe fetal impairment and eliminate all punitive measures (Iceland); Reform the Comprehensive Criminal Code in relation to the legal extension of abortion and to decriminalize abortion in cases of rape, incest and severe fetal impairment (Slovenia);**

120.18 **Repeal the provision of the Civil Code that designates the husband as the administrator of marital property (Iceland); Repeal the legal provision that designates the husband as the administrator of marital property (Portugal);**

120.19 **Repeal Decree No. 1247 and establish clear procedures in secondary legislation in order to implement the right to free, prior and informed consent of indigenous peoples, regarding legislative or administrative measures affecting their territories and livelihood, as contained in the Constitution of**

Ecuador and in the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Germany).

121. **Ecuador could not support the recommendations in paragraphs 120.1-120.3 and 120.18 as it considers that they contain factually incorrect information.**

122. **Ecuador could not support the recommendations in paragraphs 120.5-120.15, 120.17 and 120.19 as it considers that the legislation to which they refer is already in line with international standards.**

123. **Ecuador could not support the recommendation in paragraph 120.16 as it considers that the existing National System of Public Security, including the National Secretariat of Intelligence, is regulated by the Public Security Law, which provides for civil and democratic control.**

124. **Ecuador could not support the recommendations in paragraph 120.4 as it considers that there is no need for a national action plan since Ecuador already has in place a binding legislative and policy framework, including the Constitution of the Republic, the Code of Production, Trade and Investment, the Organic Monetary Code and the Comprehensive Criminal Code, among others, that provides for the full protection and promotion of human rights in the context of business operations. This framework is complemented by other norms, plans and programmes in different areas related to business and health, nature, agriculture, fair trade and intellectual property, violence and child labour, and security in public and private entities, inter alia.**

125. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

III. Voluntary pledges and commitments

126. The State of Ecuador assumed the following voluntary commitments:

(a) Through cooperation with the United Nations system, Ecuador commits to continue strengthening the SIDERECHOS electronic platform, in order to maintain its permanent operation and ensure the follow-up to the fulfilment of human rights recommendations and commitments adopted within the framework of the United Nations system;

(b) Ecuador pledges to continue leading the implementation Human Rights Council resolution 26/9 on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights, including through sharing best practices in legislation and policymaking;

(c) Ecuador pledges to share with the international community the Ecuadorian experience on the protection and promotion of the human rights of people in human mobility situations;

(d) Ecuador pledges to share with the international community the Ecuadorian experience on the protection and promotion of human rights related to reform of the judiciary.

Annex

[*Original: English/Spanish*]

Composition of the delegation

The delegation of Ecuador was headed by the Minister of Foreign Affairs and Human Mobility, Guillaume Long, and composed of the following members:

- Guillaume Long, Ministro de Relaciones Exteriores y Movilidad Humana;
- Ledy Zuñiga, Ministra de Justicia, Derechos Humanos y Cultos;
- Rosana Alvarado, Vicepresidenta de la Asamblea Nacional;
- Verónica Espinosa, Ministra de Salud Pública;
- César Navas, Ministro Coordinador de Seguridad;
- Patricio Barriga, Secretario Nacional de Comunicación;
- María Carola Iñiguez Zambrano, Subsecretaría de Organismos Internacionales Suprarregionales del Ministerio de Relaciones Exteriores y Movilidad Humana;
- Natalia Bolaños, Subsecretaria de Adolescentes Infractores del Ministerio de Justicia, Derechos Humanos y Culto;
- Tammy Lorena Vallejo Silva, Subsecretaría Nacional de Comunicación — SECOM;
- Carlos Andrade, Subsecretario de Pueblos y Nacionalidades;
- Karina Peralta, Vocal Principal del Consejo de la Judicatura;
- Ricardo Velasco, Director de Derechos Humanos de la Procuraduría General del Estado;
- María Amelia Espinosa, Directora de Derechos Humanos del Ministerio de Justicia, Derechos Humanos y Cultos;
- Lee Brown, Asesor Despacho Ministerial;
- David Tellez, Asesor del Ministerio Coordinador de Seguridad;
- Daniela Saa, Funcionaría de la Subsecretaría de Organismos Internacionales y Suprarregionales;
- María Fernanda Espinosa, Embajadora, Representante Permanente ante la ONU Ginebra;
- Arturo Cabrera, Embajador, Representante Permanente Alterno ante la ONU Ginebra;
- Luis Espinosa, Ministro, Misión Permanente ante la ONU Ginebra;
- Walter Schuldt, Primer Secretario, Misión Permanente ante la ONU Ginebra;
- Juan Pablo Cadena, Primer Secretario, Misión Permanente ante la ONU Ginebra;
- Analucía Jácome, Analista en Derechos Humanos, CDH, Misión Permanente ante la ONU Ginebra.

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Report of the Working Group on the Universal Periodic Review*

Tunisia

* The annex is being issued without formal editing, in the languages of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Tunisia was held at the 3rd meeting on 2 May 2017. The delegation of Tunisia was headed by the Minister for Relations with Constitutional Bodies, Civil Society and Human Rights, Mehdi Ben Gharbia. At its 10th meeting, held on 5 May 2017, the Working Group adopted the report on Tunisia.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Tunisia: Netherlands, Qatar and Rwanda.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Tunisia:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/TUN/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/TUN/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/TUN/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Tunisia through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation of Tunisia stated that the Government was determined to make profound changes to the human rights situation in the country through reforms and new laws. A new Constitution had been adopted in 2014 that enshrined fundamental freedoms and other essential economic, social and cultural rights. There were significant efforts under way to revise Tunisian legislation in order to bring it in line with the Constitution and the State's international obligations, and several mechanisms had been created to promote good governance and to fight corruption and trafficking in persons. The State's cooperation with the OHCHR was positive and 15 special procedure mandate holders had visited Tunisia since 2011. Civil society was an important partner for the Government in all human rights activities. Although Tunisia was not safe from terrorism, human rights were always respected; the security and armed forces systematically received human rights training and impunity was continually monitored and addressed.

B. Interactive dialogue and responses by the State under review

6. During the interactive dialogue, 98 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

7. The Sudan noted efforts to face the challenges of the transition to democracy and to combat terrorism, reform the judiciary and promote social dialogue.

8. Sweden noted that, despite marked strides in the field of gender equality, reports of sexual harassment and sexual violence persisted.

9. Switzerland welcomed the prohibition of torture contained in the new Constitution but remained concerned about ongoing reports of torture and ill-treatment.

10. The Syrian Arab Republic welcomed the progress made in integrating human rights into the State institutions and the role of the national media in achieving that goal.

11. Togo praised the adoption of the 2012-2016 strategic plan, which included measures to strengthen the independence of the judiciary.

12. Turkey inquired about measures to increase the number of vocational training centres and whether the Government envisaged a partnership with the private sector.

13. Uganda praised the establishment of several independent Constitutional bodies and referred to the situation of vulnerable migrants.

14. Ukraine encouraged the State to harmonize the legislative framework, improve living conditions for persons with disabilities and reform the social security system.

15. The United Arab Emirates commended the establishment of a national authority to combat trafficking in persons and efforts to punish and prosecute perpetrators.

16. The United Kingdom of Great Britain and Northern Ireland encouraged the State to make the Constitutional Court operational without delay.

17. The United States of America was concerned by the lack of transparency in the investigation of recent reports of abuses by the security forces.

18. Uruguay raised concerns relating to the situation of women and gender equality.

19. Argentina raised the issue of discrimination against lesbian, gay, bisexual, transgender and intersex persons and mentioned the creation of the Truth and Dignity Commission.

20. Yemen commended efforts to establish a national preventive mechanism on torture and the adoption of a plan to reform the judiciary.

21. Zambia noted the lack of steps taken to address domestic violence, violence against women, marital rape and discrimination against women.

22. Zimbabwe praised the State's national and midterm reports, as well as the open invitation extended to special procedure mandate holders.

23. Algeria welcomed the 2014 Constitution and the establishment of new human rights institutions and strategies.

24. Angola praised the ratification of most of the human rights instruments and the withdrawal of the State's reservations to the International Covenant on Economic, Social and Cultural Rights.

25. The Bolivarian Republic of Venezuela welcomed the creation of the observatory on equal opportunities.

26. Australia referred to the new Constitution as a milestone. It welcomed the creation of the high authority for the prevention of torture.

27. Austria noted with appreciation that the Tunisian Human Rights League had been part of the quartet that had won the 2015 Nobel Prize.

28. Azerbaijan enquired about the connection between the State and the independent constitutional bodies.

29. Bahrain commended the positive cooperation with the Council mechanisms, as indicated by the State's acceptance of most of the recommendations made in the context of the review cycle.

30. Bangladesh lauded the establishment of a national commission, attached to the Prime Minister's Office, for follow-up of human rights recommendations.

31. Belgium praised the State's cooperation and engagement with international human rights mechanisms, including the special procedures.

32. Botswana highlighted the importance of the independence of the judiciary in protecting democracy and good governance.

33. Brazil commended the country's openness to dialogue with civil society and the democratic elections held in 2014.

34. Burkina Faso praised the progress achieved during the transition to democracy as exemplary cooperation with human rights mechanisms.

35. Burundi congratulated Tunisia for the establishment of a National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights.

36. Canada welcomed the democratic progress achieved, including the incorporation of human rights guarantees and protections into the 2014 Constitution.

37. In response to questions from Sweden and other countries regarding the alignment of the Constitution with its international obligations, Tunisia stated that it planned to establish a steering committee to make sure that all national laws were in line with international conventions and to guarantee the sustainability of those efforts. Most ministries were effectively engaged in those tasks. Multidisciplinary committees of judges, academics, lawyers and civil servants had been established to put forward proposals on the revision of laws, in order to align them with the Constitution. The revision of the Code of Criminal Procedure, aligning it with the Constitution, included amendments to criminal legislation on pretrial detention and the rights of detainees before trial, the provision of rehabilitation services and the revision of the Code of Civil and Commercial Procedures. Amendments to the Code of the Rights of the Child, in order to align it with article 47 of the Constitution, included the introduction of provisions on the right of children to be treated without any discrimination, child-friendly treatment during judicial procedures and rehabilitation and integration services for child victims of crime, the treatment of children in detention and the administration of places of detention.

38. The law on military courts had been revised before the adoption of Decree-law No. 69 of 2011 on the organization of military courts. A committee had been established under the auspices of the Ministry of National Defence with the task of aligning national laws on the organization of the military courts and the statute of military judges with the new Constitution.

39. The Ministry of the Interior had prepared a bill to promote human rights within the security services. Steps had been taken to revise the basic law on the national security forces in order to regulate their work, ensure respect for the rule of law and give supremacy to human rights. The project involved a comprehensive revision of the law, designed to achieve the highest democratic standards, including the creation of a commission to supervise places of detention and national security agencies. Moreover, after the revolution, the Government had wished to ensure the swift revision of Act No. 4 of 1969, which regulated demonstrations and public assemblies, because some of its provisions did not comply with international norms. The revision process was ongoing, under the supervision of the relevant government authority.

40. Article 26 of the 2014 Constitution guaranteed the right to political asylum within the purview of the law. Tunisia had ratified the Convention relating to the Status of Refugees of 1951 and the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. A bill on asylum had been drafted that provided for the establishment of a body to monitor the living conditions of refugees. In the meantime, the Office of the United Nations High Commissioner for Refugees was working on the issue of how refugee status was defined and granted in Tunisia.

41. In response to a question from Norway on asylum and migration, Tunisia stated that a national strategy on migration had been prepared with the participation of civil society. The strategy was based on five points: strengthening governance in migration management; guaranteeing the rights and interests of Tunisian migrants and strengthening the links between them and the motherland; strengthening the contribution of migration to socioeconomic development at the local, regional and national levels; promoting the regular migration of Tunisians and preventing irregular migration; and protecting the rights of foreign migrants and asylum seekers.

42. A national council of Tunisians abroad had been established under Act No. 68 of 2016 with the task of protecting the rights and interests of Tunisians abroad and encouraging them to invest in Tunisia. A national migration observatory had also been established to monitor migration flows and carry out research in that field. Regarding the rights of migrants, a project on rationalizing labour migration governance and protecting the rights of workers was being implemented with the support of the Government of Switzerland. Consultations were also being held on the potential ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

43. Regarding the right to freedom of assembly, the Government had prioritized the preparation of a law on the organization of associations in a manner compatible with international norms and standards. That approach would increase transparency with regard to the financing of civil society organizations.

44. The Government had drafted a text on its accession to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and on the accession to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Following the revolution, the Government had withdrawn the declaration and reservations that Tunisia had submitted on its accession to the Convention on the Elimination of All Forms of Discrimination against Women in 1985

45. With regard to violence against women, article 46 of the Constitution stipulated that the State must take all measures necessary to combat violence against women. In order to implement those provisions, the Government had presented a bill to the Assembly of the People's Representatives on that subject in July 2016. This bill adopted a comprehensive approach towards addressing the issue of violence against women from a human rights-based perspective that guaranteed the right to dignity and the inviolability of a woman's body. It was also comprehensive in its approach to the elimination of gender-based violence through prevention, protection, commitment and coordination. The initiative had been examined by the committee on rights and fundamental freedoms of the Assembly of People's Representatives. In anticipation of that measure and the implementation of the national strategy to eliminate violence against women, which had been relaunched in 2012, five protocols had been signed in December 2016 to protect women victims of violence. Since 2015, shelters had been available to women going through a divorce and those in violent situations. Tunisia also planned to open a direct hotline to inform women about access to assistance.

46. Chad welcomed numerous legislative and institutional measures to promote and protect human rights and the participatory approach adopted by the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights.

47. Chile welcomed reforms to promote gender equality and expressed concern about the levels of discrimination and violence against women and about reports of torture in detention.

48. China commended the State's efforts to develop the country's least developed regions, improve living standards and reduce the gap between the rural and the urban population.

49. The Congo encouraged Tunisia to redouble its efforts to harmonize its legislation and regulations with the new Constitution and international legal instruments.

50. Costa Rica welcomed measures against torture and expressed concern about the fact that the Government had not amended the Constitution to exclude the death penalty and that same-sex sexual relations were criminalized.

51. Côte d'Ivoire welcomed the national mechanism to follow-up to recommendations made by United Nations bodies and encouraged the Government to strengthen provisions to fight the exploitation of vulnerable people and migrants.

52. Cuba highlighted legislative measures relating to the penitentiary system, the creation of a national body to prevent torture and measures to fight racial discrimination.

53. Czechia welcomed the adoption of the 2014 Constitution, which provided a robust human rights protection framework.

54. Denmark noted with concern discrimination and violence against lesbian, gay, bisexual, transgender and intersex people, highlighting that article 230 of the Criminal Code was a key obstacle to equal treatment.

55. Djibouti praised the adoption of the law against trafficking in persons, which was also aimed at combating all forms of exploitation of women and children.

56. Egypt highlighted the 2014 Constitution and the legislative and institutional measures adopted, as well as the implementation of a national strategy on the judiciary.

57. Ethiopia commended the reform of the judicial system and the law on human trafficking and encouraged Tunisia to further strengthen its efforts to combat terrorism.

58. Finland welcomed the improvements relating to the transition to democracy and highlighted the importance of allocating the necessary resources to its national human rights institution.

59. France encouraged Tunisia to take all appropriate measures to implement the new Constitution, to align its laws and judicial system and to effectively implement constitutional justice.

60. Gabon welcomed measures to implement a legislative and institutional framework that fostered human rights.

61. Georgia highlighted the adoption of the Constitution and encouraged the Government to further mainstream human rights issues at all levels.

62. Germany expressed concerns about the implementation of constitutional safeguards for all.

63. Ghana commended the open invitation to special procedure mandate holders issued by Tunisia.

64. Greece encouraged Tunisia to continue its measures to ensure access to the labour market, reduce unemployment, eliminate social disparities and improve the living conditions of Tunisians.

65. Guatemala noted the need to harmonize the domestic legislative framework with the Constitution and international norms and to provide sufficient resources to the Constitutional Court.

66. Honduras highlighted the establishment of the Ministry of Human Rights and Transitional Justice and the national mechanism to prevent torture.

67. Iceland noted with regret that anal examinations were used as the main source of evidence to convict men for homosexuality and asked Tunisia how such a practice could be deemed to be compatible with international human rights standards.

68. Indonesia welcomed the establishment of the national counter-terrorism commission and the national financial analysis commission.

69. Iraq commended the Constitution, the open invitation to special procedure mandate holders and the ratification of international human rights instruments.

70. Spain commended Tunisia for the progress made with regard to the protection of human rights as a result of the adoption of the 2014 Constitution.

71. Italy welcomed the efforts made since the previous universal periodic review cycle. It noted the adoption of the new Constitution and the law on human trafficking, among others.

72. Japan noted the current state of emergency and the strengthened counter-terrorism measures. It was concerned that the legal framework contained some measures that were prejudicial to women.

73. Jordan appreciated the State's willingness to develop a national strategy to combat violence against women and to promote the rights of persons with disabilities and the steps taken to combat trafficking in persons.

74. Kenya commended Tunisia for its efforts to implement previous review recommendations.

75. Kuwait commended Tunisia for its efforts to promote political and democratic freedom. Kuwait appealed to the international community to assist Tunisia with its economic and social challenges in order to ensure the continued success of the transition to democracy.

76. Kyrgyzstan was pleased to note that the 2014 Constitution contained human rights norms. Kyrgyzstan welcomed the strengthening of the legislative and institutional framework.

77. Lebanon welcomed the adoption of the new Constitution, which establishe.: a democratic system. It applauded the pioneering role of women.

78. Libya noted progress in the implementation of recommendations from the previous review cycle and the adoption of the new Constitution, which enshrined the State's attachment to human rights, dignity and constitutional justice.

79. Tunisia stated that it had signed the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, that it had established a mechanism for the prevention of torture and was investigating gross human rights violations. There had been a fall in the number of complaints. In 2013, around 492 cases had been reported, while by 2016, the number of complaints had fallen to 200. Approximately 53 of those 200 complaints had been referred to the courts.

80. As part of the process of implementing the recommendations from the previous universal periodic review cycle, the Ministry of Human Rights had organized a national meeting on the repeal of the death penalty, which led to the adoption of article 22 of the Constitution. The number of cases in which the death sentence had been handed down currently stood at 26, with 35 cases still pending appeal. However, Tunisia had not enforced the death penalty since 1991 and, in 2012, had supported General Assembly resolution 67/176 calling for a moratorium on the use of the death penalty.

81. Article 23 of the Constitution stipulated that the State protected human life and condemned physical and psychological torture. That same article stipulated that it was not possible to arrest a person and hold them in custody for an act that did not fall under the provisions of a law or legal code. The Constitution also enshrined a statute of limitations for crimes related to torture. At the end of 2014, in order to ensure the implementation of those provisions, the Minister of Justice had issued guidelines on combating torture, with the cooperation of a Danish anti-torture centre. The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was also used for human rights training in prisons. Civil society actors, with the authorization of the Ministry of Justice, could visit prisons and prisoners; in July 2015, the Government had signed a memorandum of understanding in that regard with the Tunisian Human Rights League. An agreement had also been signed allowing the Ministry of Women, Family Affairs and Childhood to visit convicted minors and the Government was also reviewing the Criminal Code to bring it in line with international standards, particularly with regard to establishing a definition of torture and further strengthening guarantees during the period of custody and arrest.

82. The Ministry of the Interior had passed a law abolishing its central unit for detention, in order to put an end to all secret detentions and all types of torture and mistreatment. The regional Red Cross committee in Tunisia, the Office of the United Nations High Commissioner for Human Rights and the committee on fundamental freedoms, whenever they were notified and without prior authorization, could visit detention centres and meet detainees. They benefited in that regard from the legal regulations governing detention. Between 2011 and 2017, over 70 such visits had been registered.

83. The Minister of the Interior was implementing a project on improving the treatment of prisoners in detention, in cooperation with the International Committee of the Red Cross in Tunisia. There were 16 principles that were being followed to train the relevant authorities in the proper treatment of prisoners and to improve the infrastructure of detention centres. Guidelines had also been prepared on the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

84. Regarding overcrowding in prisons, 21,666 prisoners were serving sentences in 28 adult prisons and 5 prisons for juvenile delinquents. The space available to each prisoner had increased from 1.22 m² to 1.86 m², as at December 2016. The infrastructure had been developed by modernizing and renovating several prisons. Alternative punishments, such as electronic bracelets, would become available. The penal system was being reformed to reduce the number of crimes that carried prison sentences, including drug abuse offences. To date, 14,323 prisoners had benefited from rehabilitation services.

85. A law on combating terrorism and money laundering had been adopted in 2015, a national committee on combating terrorism and a national committee on combating money laundering had been established and specialized courts had been set up to handle terrorism cases. In 2016, a national strategy on combating terrorism and violent extremism had been adopted by the President. New judges had been appointed to the specialized terrorism courts and given training in the field of human rights and in respecting human rights while combating terrorism.

86. All units investigating crimes of terrorism fell under the general oversight of the judiciary and other bodies. The Minister of the Interior had adopted several measures to dissuade young people from volunteering to fight in conflicts abroad and there were efforts to raise awareness among young people of any activities that could be linked to terrorism. While the law on combating terrorism did not cover the national armed forces, they were involved in combating terrorism and crime in the military context. Policies on combating terrorism were based on international law and on defence needs, taking into consideration all the guarantees provided by international conventions and human rights law.

87. Liechtenstein welcomed steps to ensure accountability for past human rights violations and efforts to combat violence against women. Liechtenstein was concerned by attacks on human rights defenders and the harassment of journalists and artists.

88. Luxembourg congratulated Tunisia for its follow-up of recommendations from the previous review cycle and for the human rights guarantees contained in the 2014 Constitution. It welcomed the creation of an institutional framework for the protection of human rights.

89. Madagascar welcomed the establishment of the Ministry of Human Rights and Transitional Justice and a national human rights body.

90. The Maldives commended the State's commitment to improving its judicial system and its efforts to combat torture, terrorism and human trafficking.

91. Mauritania highlighted the encouraging progress made with regard to standard-setting and the institutional framework, including the adoption of legislative and institutional measures since the previous review cycle.

92. Mauritius commended Tunisia for enshrining in its Constitution civil, political, economic, social and cultural rights and the rights of women, children and persons with disabilities.

93. Mexico praised the State's efforts to maintain respect for institutions and its efforts to consolidate democracy in the country.

94. Montenegro welcomed the ratification of the Optional Protocol to the Convention against Torture and the establishment of the national preventive mechanism.

95. Morocco paid tribute to the State's efforts to strengthen the national system through the adoption, since the previous review cycle, of a new Constitution and the establishment of many independent human rights bodies.

96. Mozambique commended Tunisia for having ratified 15 out of the 18 international human rights instruments and for welcoming visits from 10 special procedure mandate holders during the previous four years.

97. Namibia congratulated Tunisia for adopting a new Constitution in 2014 and for implementing various measures aimed at reforming the judicial system.

98. The Netherlands expressed concerns about the absence of a law criminalizing all forms of discrimination and incitement to hatred and violence based on sexual orientation and gender identity.

99. Niger welcomed the new Constitution, which enshrined a republican and democratic system based on the rights of the people, civil liberties and the rule of law.

100. Nigeria commended the implementation of the national integrated education strategy and welcomed the establishment of a national commission to combat racial discrimination.

101. Norway welcomed the moratorium on the death penalty and commended the new Constitution of 2014.

102. Oman welcomed the establishment of a cabinet of human rights and the consolidation of the rule of law.

103. Pakistan commended the establishment of institutions necessary for the promotion, protection and implementation of human rights.

104. Peru welcomed the achievements relating to the promotion and protection of human rights and the promulgation of the new Constitution.

105. The Philippines commended the establishment of an independent human rights commission and other bodies relating to the prevention of torture, access to information and human trafficking.

106. Poland commended efforts to promote human rights, particularly measures aiming to prevent discrimination, promote equal opportunities, combat violence against women and increase women's representation in public life.

107. Portugal was concerned about the discrimination and violence that women faced.

108. Qatar welcomed measures to promote human rights mechanisms and commended the adoption of the Constitution in 2014.

109. The Republic of Korea commended the 2014 Constitution, the steps taken to ensure an independent judiciary and the establishment of a national human rights commission.

110. Romania commended Tunisia for the broad range of measures on human rights that had been adopted since the second review cycle.

111. Rwanda commended Tunisia for the significant progress it had made in improving the social and economic status of its citizens.

112. Saudi Arabia commended the ongoing efforts made by Tunisia to implement the recommendations that it had received during the second review cycle and the human rights measures it had implemented.

113. Senegal noted with satisfaction the adoption of the 2014 Constitution and the fact that Tunisia had created the foundations for a democratic State that promoted human rights and public freedoms.

114. Sierra Leone urged Tunisia to expedite the establishment of the Constitutional Court to safeguard the rights enshrined in the new Constitution of 2014.

115. Slovenia encouraged Tunisia to keep the de facto moratorium on the death penalty in place and to continue its efforts to completely abolish capital punishment.

116. South Africa welcomed the fact that the Constitution of 2014 included a specific chapter on independent constitutional bodies seeking to support democracy.

117. South Sudan noted with appreciation the adoption of the Constitution of 2014 and the steps taken by the Government to strengthen its institutional framework.

118. Ireland was still concerned that the death penalty remained lawful and urged the State to withdraw its declaration on the Convention on the Elimination of All Forms of Discrimination against Women.

119. Sri Lanka commended the State's remarkable efforts to implement legislative and institutional change, including the adoption of a new Constitution in 2014.

120. The State of Palestine noted the State's efforts to further women's rights through programmes and legislation and commended its efforts to provide health services.

121. The Central African Republic encouraged Tunisia to continue its cooperation with international human rights mechanisms, as illustrated by the standing invitation it had issued to special procedure mandate holders.

122. Concerning discrimination on the grounds of sexual orientation, Tunisia stated that all forms of discrimination, hatred and incitement to hatred were anti-Constitutional. Persons of all sexual orientations enjoyed the full spectrum of rights, including access to education. All aggression against any citizen based on his or her sexual orientation was criminalized and the perpetrators prosecuted. The President had called for a new law concerning individual rights; discussions of that law would provide an opportunity to open a dialogue on article 230 of the Criminal Code. Medical examinations were contingent on the consent of the person concerned and must be conducted in the presence of a medical expert.

123. In response to the comments made by Switzerland on the measures taken by Tunisia to prevent irregularities in migration, an agreement had been signed with the International Organization for Migration regarding migrants who wished to return voluntarily to their country of origin. Under the terms of that agreement, the International Organization for Migration sent to the Tunisian authorities a list of migrants wishing to return voluntarily to their countries of origin and, in turn, the Tunisian authorities granted those migrants exemption from the payment of penalties so that they could return to their country. Furthermore, Tunisia was developing a national strategy on migration through an open and consultative process, which would subsequently be extended to bilateral and multilateral partners.

124. The 2014 Constitution stated that all people were equal before the law and enshrined rights and fundamental freedoms, in line with the State's obligations and international human rights standards. Some of the articles of the Constitution, drafted by the former regime, were being updated in order to bring them into line with international obligations and standards and the recommendations of the special procedure mandate holders. Tunisia was also trying to foster the independence of the judiciary and to enable the Constitutional Court to repeal or amend certain articles that were contrary to international standards. However, those efforts could not succeed without a dialogue with all stakeholders. Tunisia thanked all the delegations for their recommendations, which it would seek to take into account.

II. Conclusions and/or recommendations

125. **The recommendations formulated during the interactive dialogue/listed below have been examined by Tunisia and enjoy the support of Tunisia:**

125.1 **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) (Peru);**[1]

125.2 **Consider ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia);**

[1] The recommendation, as read out, was: "Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol" (Peru).

125.3 **Envisage completing the process of adhesion to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in order to facilitate individual complaints in case of violations of the rights of children, and to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Burkina Faso);**

125.4 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Sierra Leone);**[1]

125.5 **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Uganda);**

125.6 **Align the legislative amendments to the Constitution with the Convention on the Elimination of All Forms of Discrimination against Women, reforming the laws that are discriminatory to women (Uruguay);**

125.7 **Accelerate the alignment of national legislation with a bearing on human rights to the new Constitution, which was adopted in 2014, including provisions relating to the prevention and criminalization of violence against women and children (Zimbabwe);**

125.8 **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Madagascar);**

125.9 **Pursue ongoing cooperation with human rights mechanisms (Saudi Arabia);**

125.10 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

125.11 **Continue with the establishment of legal and independent bodies including the Constitutional Council (Sudan);**

125.12 **Without further delay, take steps to adopt the laws called for in its Constitution to safeguard the unique status of independent agencies in Tunisia (Sweden);**

125.13 **Ensure the compliance of its legislation, especially the Code of Personal Status and the Criminal Code, with articles 21 and 46 of its Constitution and international human rights obligations (Switzerland);**

125.14 **Accelerate the ongoing process to harmonize existing legislation with the Constitution (Angola);**

125.15 **Take all the necessary steps to resolve the divergences in the interpretation of the legal text on the Supreme Judicial Council and ensure that such interpretation is in accordance with the provisions of the Constitution (Botswana);**

125.16 **Continue the harmonization of legal frameworks in line with Constitutional texts (Iraq);**

125.17 **Fully implement the ideals of the new Constitution, including the initiation of Constitutional Court proceedings (Japan);**

125.18 **Create and ensure the functioning of Constitutional bodies, such as institutions on human rights and good governance, as well as the Constitutional Court (Portugal);**

[1] The recommendation, as read out, was: "Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure" (Sierra Leone).

125.19 **Continue efforts to bring national legislation relevant to human rights in line with the Tunisian Constitution and its international human rights obligations (Qatar);**

125.20 **Continue the establishment of constitutional bodies by completing the legislative process and enacting adequate legislation in this regard (Romania);**

125.21 **Quickly establish the Constitutional Court and expedite the revision of laws that are incompatible with the Constitution and international human rights standards (Guatemala);**

125.22 **Continue the process of harmonizing national legislation, including the Criminal Code and Code of Criminal Procedure, with the Constitution and international human rights instruments ratified by Tunisia (Italy);**

125.23 **Continue to bring its legislation into compliance with the Constitution as well as with ratified international instruments (Madagascar);**

125.24 **Continue to take effective measures to align its legal system with its new Constitution and with the relevant international human rights instruments (Namibia);**

125.25 **Revise comprehensively its national legislation in order to bring it in line with its Constitution and with the Convention on the Elimination of All Forms of Discrimination against Women (Honduras);**

125.26 **Harmonize legislation that discriminated against women with the Constitution and the Convention on the Elimination of All Forms of Discrimination against Women (Kyrgyzstan);**

125.27 **Continue to finalize the establishment of the Constitutional Court and expedite the overhaul of the laws that are inconsistent with the Constitution and international human rights standards so as to expand on the environment that is conducive for the further implementation of recommendations made in the context of the universal periodic review (Kenya);**

125.28 **Continue to work towards modernizing legislation in line with the new Tunisian Constitution and complete the implementation of recommendations from the first session of the universal periodic review (Kuwait);**

125.29 **Accelerate the creation of the Constitutional Court and the Constitutional bodies, ensuring that they and other institutions, including the National Authority for the Prevention of Torture, are independent, adequately resourced and swiftly operational (United Kingdom of Great Britain and Northern Ireland);**

125.30 **Reform the National Council for Social Dialogue (Cuba);**

125.31 **Ensure the effective and independent functioning of the national preventive mechanism under the Optional Protocol to the Convention against Torture (Czechia);**

125.32 **Continue efforts to strengthen its democratic institutions and values and develop comprehensive national human rights policies to embrace all economic and social domains, such as education, health, the environment and poverty eradication programmes and support their implementation (Pakistan);**

125.33 **Adopt human rights capacity-building and training programmes for law enforcement officials (Chile);**

125.34 **Take into account the concerns of Tunisian civil society in the context of the future law on national reconciliation (Luxembourg);**

125.35 **Ensure coherence with the mandates of the national preventive mechanism in the establishment process of the new national human rights institution (Ghana);**

125.36 **Finalize the establishment of a new national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (Kenya);**

125.37 **Step up efforts towards the completion of the institutional framework for the promotion and protection of human rights, including the formulation of a national human rights action plan (Philippines);**

125.38 **Continue work on raising awareness and enhancing training and capacity-building in the field of human rights for government institutions, particularly internal security services and military forces, in accordance with international standards (Qatar);**

125.39 **Continue to strengthen human rights training for police and local government officials, especially on interrogation and investigation methods. Developments in the legal framework take much training and effort to translate into actual practice (Republic of Korea);**

125.40 **Criminalize racism, in line with international commitments (Kyrgyzstan);**

125.41 **Criminalize racism, in line with international commitments (Ukraine);**

125.42 **Accelerate the process of adopting a relevant legislative and regulatory framework for combating racial discrimination (Congo);**

125.43 **Adopt a legislative framework ensuring protection against all forms of offences motivated by prejudice (Côte d'Ivoire);**

125.44 **Continue efforts to promote gender equality (Jordan);**

125.45 **Continue with its efforts to improve the conditions of persons with disabilities, in particular through support for reasonable accommodation in the workplace as well as access to education countrywide (Mexico);**

125.46 **Criminalize racial discrimination and enforce laws which protect the rights of the black population (Sierra Leone);**

125.47 **Adopt a law prohibiting racial discrimination, including criminalizing such behaviour (South Africa);**

125.48 **Immediately cease the practice of forced anal examinations of lesbian, gay, bisexual, transgender and intersex persons, which are contrary to its obligations under the Convention against Torture (Ireland);**

125.49 **Continue its efforts in the less developed regions by encouraging development and investment (Libya);**

125.50 **Continue efforts to pursue the legislative efforts of the sustainable development commission for future generations (Saudi Arabia);**

125.51 **Enhance efforts to fight terrorism and continue raising awareness to fight against extremism (Syrian Arab Republic);**

125.52 **Ensure security measures under the state of emergency or counter-terrorism laws and maintain the human rights of suspects, detainees and their families (United States of America);**

125.53 **Create a law or guidelines to end the use of excessive force against individuals suspected of involvement in terrorist activities, improve pretrial detention conditions, install video cameras in places of detention and ensure access to legal services without delay (Canada);**

125.54 **Continue efforts to combat terrorism (Iraq);**

125.55 **Ensure the existence of scientific, intellectual, legal, social and economic programmes to raise awareness about the risk of terrorism at all levels (Iraq);**

125.56 **Continue efforts to implement the national strategy for combating terrorism and violent extremism (Libya);**

125.57 **Continue its efforts to implement its strategy to combat terrorism and violent extremism in conjunction with all relevant authorities (Oman);**

125.58 **Ensure respect for human rights while combating terrorism by ensuring the right to a fair trial and due process and freedom of expression (Peru);**

125.59 **Pass comprehensive and specific legislation on violence against women that contains both criminal and civil provisions (Zambia);**

125.60 **Establish within the new law civil remedies, including comprehensive protection orders that are part of the Code of Civil Procedure, instead of being integrated into the Criminal Code (Zambia);**

125.61 **Pursue its reform of the security sector (Luxembourg);**

125.62 **Continue with security sector reform to ensure appropriate training and oversight mechanisms are in place (Australia);**

125.63 **Ensure all allegations of excessive use of force or other security force abuses are investigated in a prompt, effective and independent manner (United States of America);**

125.64 **Continue dialogue at the national level, with a view to reaching consensus to abolish the death penalty in the Constitution (Costa Rica);**

125.65 **Promote a national debate on the abolition of the death penalty (Italy);**

125.66 **Maintain its de facto moratorium on the use of the death penalty with a view to its total abolition (Rwanda);**

125.67 **Facilitate a public debate on the death penalty, with input from the Human Rights Commission, other relevant constitutional bodies and civil society, with a view to ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland);**

125.68 **Step up its efforts to prevent torture and ill-treatment by ensuring that allegations of torture and ill-treatment are systematically investigated and the perpetrators are prosecuted and punished and that victims are compensated in an adequate and equitable manner (Switzerland);**

125.69 **Take the necessary measures to fight torture more effectively (Togo);**

125.70 **Take measures aimed at eliminating torture and other forms of ill-treatment (Ukraine);**

125.71 **Bring the definition of torture in Tunisian law in line with the Convention against Torture and focus on best practice and human rights training for police and security personnel (Austria);**

125.72 **Adopt measures to secure the independent and effective investigation of allegations of torture by the police, in compliance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) (Czechia);**

125.73 **Take all necessary measures to render effective the prosecution and sentencing of perpetrators of torture and ill-treatment (France);**

125.74 **Strengthen the independence of the national mechanism for the prevention of torture and other forms of ill-treatment, including through the provision of a separate and adequate budget (Germany);**

125.75 **Bring the definition of torture in line with the requirements of the Convention against Torture (Ghana);**

125.76 **Adopt the decrees on the national preventive mechanism and ensure its financial and administrative independence (Ghana);**

125.77 **Allocate sufficient resources to ensure the effective implementation of the torture prevention mechanism (Madagascar);**

125.78 **Ensure accountability for all acts of torture that occur within the framework of the fight against terrorism (Netherlands);**

125.79 **Further its efforts to ban torture and other ill-treatment in conformity with international human rights standards, while combating terrorism (Norway);**

125.80 **Continue efforts to implement the comprehensive national strategy against human trafficking adopted under Act No. 621 of 2016 (United Arab Emirates);**

125.81 **Expand efforts to combat human trafficking and ensure protection for victims (Jordan);**

125.82 **Continue to strengthen measures to combat human trafficking and child labour (Sri Lanka);**

125.83 **Continue a dialogue with all States on the basis of mutual respect, equal sovereignty and the right of people to choose their political, economic and social system (Syrian Arab Republic);**

125.84 **Continue its efforts in order to promote human rights and public liberties (Yemen);**

125.85 **Strengthen its democratic election processes through the effective implementation of recommendations from the final report of the European Union Election Observation Mission to Tunisia in 2014 (Czechia);**

125.86 **Strengthen the implementation of legislation in the areas of freedom of expression, access to information and non-discrimination and ensure that all relevant laws are fully in line with the Constitution (Czechia);**

125.87 **Replace decrees No. 115 and No. 116 from 2011 on press and audiovisual communication with legislation that is in line with article 65 of the Constitution relating to information, the press and publishing, and article 127 of the Constitution (Denmark);**

125.88 **Strengthen legislation on freedom of expression and conscience (Lebanon);**

125.89 **Continue enhancing freedom of information and the rights of journalists (Lebanon);**

125.90 **Align the legal framework applicable to freedom of the press and publication and to audiovisual communication with applicable international standards (Romania);**

125.91 **Adopt measures to ensure the protection of free speech and freedom of the press, ensuring that human rights defenders can carry out their legitimate activities (Spain);**

125.92 **Accelerate the implementation of the laws on the freedom of expression, assembly and association and to ensure alignment with international standards, including under possible emergency measures (Finland);**

125.93 **Ensure a conducive environment for human rights defenders to carry out their legitimate activities without fear or undue hindrance (South Africa);**

125.94 **Carry out prompt investigations into all threats and attacks targeting human rights defenders and guarantee that those responsible are brought to**

justice and punished in a manner commensurate with the gravity of their acts (Liechtenstein);

125.95 **Bring all legislation concerning communication surveillance in line with international human rights standards, and especially ensure that all communications surveillance requires a test of necessity and proportionality (Liechtenstein);**

125.96 **Take the necessary measures to expedite the work of the High Judicial Council (Syrian Arab Republic);**

125.97 **Continue its efforts to further advance its justice system (Azerbaijan);**

125.98 **Continue the task of completing the special institutional framework in the areas of judiciary and independent bodies (Jordan);**

125.99 **Deepen the process of ensuring effective reparation for the wounded and the families of those killed during the revolution by providing adequate medical support and rehabilitation (Argentina);**

125.100 **Reinforce the implementation of alternative sentencing measures to reduce overcrowding in prisons for short- and medium-term detention (Angola);**

125.101 **Enhance the rights of prisoners by adopting measures that include reducing overcrowding in prison facilities, adopting alternative measures to pretrial detention and ensure fair treatment during judicial proceedings at all stages, in line with international treaties (Kenya);**

125.102 **Continue efforts to implement the plan of action for judicial reform and prison systems (Morocco);**

125.103 **Make further efforts to protect civil rights in judicial procedures, including by ensuring immediate access to an attorney upon arrest (Republic of Korea);**

125.104 **Continue its efforts to fight against unemployment and prioritize adequate housing and access to water (Sudan);**

125.105 **Promote social dialogue and ensure that the conclusions of the dialogue are implemented (Sudan);**

125.106 **Strengthen its efforts to reduce extreme poverty, exclusion and marginalization (Zimbabwe);**

125.107 **Enforce the economic independence of women and vulnerable groups by adopting appropriate plans to combat poverty (Algeria);**

125.108 **Give priority to the elimination of poverty and strive to reduce unemployment and to improve people's living standards (China);**

125.109 **Diversify interventions in order to decrease the incidence of poverty (Cuba);**

125.110 **Continue efforts to safeguard cultural, social and economic rights, including in the least developed regions (Egypt);**

125.111 **Further intensify the Government's activities to boost youth employment (Ethiopia);**

125.112 **Redouble its efforts in guaranteeing the right to work and the equality of all workers in the public sector, without discrimination (Indonesia);**

125.113 **Guarantee the right to work and equality of all public sector workers and ensure that their human dignity is respected without gender-based discrimination (Central African Republic);**

125.114 **Stress and promote access to health services, including by training medical staff (Syrian Arab Republic);**

125.115 **Continue strengthening the health-care infrastructure (Bolivarian Republic of Venezuela);**

125.116 **Continue to enhance the effectiveness of measures taken to improve access to health services in remote and rural areas (Libya);**

125.117 **Continue implementing the national strategy to enhance access to health services in rural areas (State of Palestine);**

125.118 **Accelerate the adoption of the draft law on narcotics, which exempts from criminal prosecution any consumer requiring medical follow-up (Gabon);**

125.119 **Ensure broad access to health services, including reproductive health services, especially to young people (Luxembourg);**

125.120 **Expand family planning services in order to reduce significantly maternal mortality, which remains high especially in rural areas (Burkina Faso);**

125.121 **Continue efforts to ensure universal access for Tunisian women to sexual and reproductive health-care services, especially during pregnancy (Slovenia);**

125.122 **Continue progress in the implementation of the mandatory and free-of-cost year of primary school (Bolivarian Republic of Venezuela);**

125.123 **Continue investments to improve public education and public services and facilities (Philippines);**

125.124 **Continue efforts to strengthen the education system, in particular access to education in rural areas (South Sudan);**

125.125 **Consider including human rights education in its school programmes (Mauritius);**

125.126 **Develop a national plan to encourage girls to remain in school, especially in disadvantaged regions of the country (Maldives);**

125.127 **Actively develop education, especially basic education, and provide greater support to schools in rural areas (China);**

125.128 **Continue to give more attention to boys, girls and women in public policies, especially in the area of education (Senegal);**

125.129 **Continue to promote women's rights, especially in rural areas (Djibouti);**

125.130 **Focus on human rights in general and the rights of women in particular (Oman);**

125.131 **Further intensify its efforts in the implementation of laws and policies aimed at promoting and protecting the rights of women, children and other vulnerable groups (Pakistan);**

125.132 **Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities (Chile);**[5]

125.133 **Provide material and moral support for the Centre for Research, Studies, Documentation and Information on Women in order to preserve and promote the rights of women in Tunisia (United Arab Emirates);**

125.134 **Continue consolidating the National Prevention Strategy to sanction all forms of exploitation, especially against women, to protect victims and provide them with assistance (Bolivarian Republic of Venezuela);**

[5] The recommendation, as read out, was: "Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities, and discrimination based on sexual orientation and gender identity" (Chile).

125.135 **Reinforce its national policy for gender equity and equality (Côte d'Ivoire);**

125.136 **Align national legislation with international instruments on the protection of the rights of women and in favour of the principle of gender equality, in particular by promoting access for women to jobs, increasing their participation in political and economic life and ensuring wage equality between men and women (Mexico);**

125.137 **Put in place programmes to fight against poverty and job insecurity, through strengthening the economic empowerment of women (Central African Republic);**

125.138 **Eliminate all legislative provisions that perpetuate discrimination against women and adopt a comprehensive law on violence against women (Spain);**

125.139 **Promote legislation that is in keeping with the Convention on the Elimination of All Forms of Discrimination against Women, including on preventing violence against women (Japan);**

125.140 **Work toward eliminating any loopholes in national legislation that might undermine the protection of women's rights and the principle of gender equality, including on domestic violence and marital rape (Rwanda);**

125.141 **Take further steps in order to encourage women's access to work and eliminate the gender pay gap (Poland);**

125.142 **Adopt a comprehensive law on violence against women and girls that addresses the importance of consent and provides adequate protection for victims and appropriate penalties for perpetrators (Sweden);**

125.143 **Amend or repeal articles 227 and 239 of the Criminal Code to explicitly criminalize marital rape and redefine rape in line with international standards (Sweden);**

125.144 **Continue its efforts to fight discrimination and violence against women (Turkey);**

125.145 **Put in place specific legislation to address violence against women, which to date remains generally covered under the Criminal Code (Uganda);**

125.146 **Expedite the adoption of the law to combat violence against women (Ukraine);**

125.147 **Amend the Criminal Code to abolish provisions allowing a perpetrator of sexual violence to escape prosecution by marrying the victim or allowing the prosecution, trial or execution of the sentence to be dropped when the victim retracts the complaint and explicitly criminalize marital rape (Zambia);**

125.148 **Strengthen existing legislation to effectively eliminate gender-based violence, including domestic violence, with a view to better protecting victims and holding perpetrators accountable (Austria);**

125.149 **Continue to address violence against women including measures to ensure that domestic violence and rapes are duly reported (Bangladesh);**

125.150 **Accelerate the adoption of a general law on violence against women and girls criminalizing all forms of violence, including domestic violence and marital rape and guarantee access to justice (Belgium);**

125.151 **Repeal articles 227 bis and 239 of the Criminal Code to prevent perpetrators of rape and abduction from avoiding prosecution by marrying their adolescent victims (Belgium);**

125.152 **Adopt specific legislation aiming at the elimination of violence against women, in line with international standards, which adequately addresses the dimensions of prevention, protection and assistance (Brazil);**

125.153 **Repeal article 227 of the Tunisian Criminal Code, which allows rape offenders to escape justice if they marry their victims (Canada);**

125.154 **Adopt a legal framework to fight violence against women, which establishes sanctions for these acts, ensures access to justice for victims and establishes a system for their protection, compensation and rehabilitation (Chile);**

125.155 **Take the necessary measures to combat violence against women and discrimination in employment (France);**

125.156 **Intensify efforts to bring domestic legislation in line with international standards to combat all forms of violence and discrimination against women and girls (Georgia);**

125.157 **Amend the Criminal Code to explicitly criminalize marital rape, to abolish provisions allowing a perpetrator of sexual violence to escape prosecution by marrying the victim (Criminal Code, article 227 bis) (Germany);**

125.158 **Adopt a comprehensive law on combating all forms of violence against women, including domestic violence and marital rape (Honduras);**

125.159 **Expedite the adoption of the law to combat violence against women (Kyrgyzstan);**

125.160 **Expedite the adoption of the law to combat violence against women and ensure that it makes all forms of violence against women a criminal offence, including domestic violence and marital rape, and amend the provisions of the Criminal Code in order to eliminate any possibility of impunity for the perpetrators of violence against women (Liechtenstein);**

125.161 **Train members of the judiciary and law enforcement officials to make them aware of all types of violence against women, and streagthen public awareness campaigns (Liechtenstein);**

125.162 **Pursue the process of adoption of the basic law concerning the elimination of violence against women (Morocco);**

125.163 **Adopt laws that criminalize all forms of violence against women and girls and review criminal procedures to end impunity for such violations (Portugal);**

125.164 **Ensure the swift implementation and enforcement of legislation criminalizing all forms of violence against women, including domestic violence (Sierra Leone);**

125.165 **Adopt a comprehensive national policy on the protection of women against all forms of violence and the creation of a supportive environment for women victims of violence by reviewing and strengthening the legal framework (South Africa);**

125.166 **Adopt the comprehensive law on violence against women and girls (Central African Republic);**

125.167 **Introduce positive discrimination measures to promote women's access to work (Ukraine);**

125.168 **Strengthen the participation of women in decision-making circles and leadership positions and enable them to play a role in all fields of development (Bahrain);**

125.169 **Continue reinforcing and promoting women's rights and women's participation in cultural, social and economic life (Egypt);**

125.170 **Increase the participation of women in decision-making positions and in the political and public spheres (Indonesia);**

125.171 **Continue efforts to improve the status of women and promote gender equality at all levels, thereby enhancing women's contribution to the development process (Sri Lanka);**

125.172 **Continue to implement strategies and plans and to increase women's participation in decision-making positions in the public sector (State of Palestine);**

125.173 **Continue its efforts with regard to child protection and implement an independent mechanism to monitor children's rights so as to prevent violations of existing regulations and legislation (Maldives);**

125.174 **Continue to reform laws to ensure that no one, especially children, will be left stateless (Kenya);**

125.175 **Pursue measures adopted to establish a plan of action to combat child labour, in cooperation with the International Labour Organization (ILO) (Djibouti);**

125.176 **Enhance its efforts to promote the human rights of persons with disabilities in all fields (Algeria);**

125.177 **Continue reinforcing the enjoyment by people with disabilities of all their political, social and economic rights (Bahrain);**

125.178 **Step up protection for persons with disabilities with a rights-based approach in order to ensure their full integration into society (Spain);**

125.179 **Protect the economic, social and cultural rights of Amazigh minorities (Peru);**

125.180 **Strengthen national legislation with regard to the rights of domestic workers (Uruguay);**[4]

125.181 **Expedite the Government's responsibility in combating terrorism and violent extremism (Ethiopia);**

125.182 **Give greater consideration to the protection of human rights during judicial processes related to terrorism (Japan).**

126. **The following recommendations will be examined by Tunisia, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:**

126.1 **Analyse the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) (Uruguay);**[4]

126.2 **Expedite the adoption of the asylum bill which is pending before the National Assembly (Uganda);**

126.3 **Repeal the provisions of the Personal Status Code which prohibit the children of women who have remarried from living with them (Canada);**

126.4 **Strengthen mechanisms for detaining, identifying and providing assistance to vulnerable migrants at borders, in full compliance with international law (Guatemala);**

126.5 **Decriminalize the irregular crossing of borders and strengthen mechanisms for detecting, identifying and assisting vulnerable migrants on the borders, including minors, possible asylum seekers and victims of human trafficking (Mexico);**

[4] During the interactive dialogue, the recommendation was read as follows: Analyse the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) and strengthen national legislation with regard to the rights of domestic workers (Uruguay).

126.6 **Take measures in order to strengthen the mechanism to detect, identify and assist vulnerable migrants at the border, including minors, potential asylum seekers and victims of trafficking (Nigeria);**

126.7 **Adopt measures to promote and protect the rights of migrants and ensure that unaccompanied minors and families with children are not detained (Nigeria);**

126.8 **Expeditiously ratify the Kampala amendments to the Rome Statute of the International Criminal Court on the crime of aggression (Liechtenstein);**

126.9 **Ensure the protection of lesbian, gay, bisexual, transgender, queer and intersex persons from all forms of stigmatization, discrimination and violence and abstain from random testing (Luxembourg);**

126.10 **Develop public awareness programmes to address stigmatization of lesbian, gay, bisexual, transgender and intersex persons (Ireland);**

126.11 **Establish an interreligious council to facilitate interreligious dialogue and harmony (Sierra Leone).**

127. **The recommendations formulated during the interactive dialogue listed below have been examined by Tunisia and have been noted by Tunisia:**

127.1 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sierra Leone);**[1]

127.2 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);**

127.3 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);**

127.4 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Kyrgyzstan);**

127.5 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Niger);**

127.6 **Ratify promptly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

127.7 **Adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Congo);**

127.8 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Bangladesh);**

127.9 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal);**

127.10 **Consider ratifying the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families (Indonesia);**

127.11 **Continue the process of ratifying the international conventions to which the State is not yet a party, in particular the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Gabon);**

127.12 **Ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families and the ILO Domestic Workers Convention, 2011 (No. 189) (Philippines);**

[1] The recommendation, as read out, was: "Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure" (Sierra Leone).

127.13 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro);**

127.14 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

127.15 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Togo);**

127.16 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

127.17 **Re-consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Slovenia);**

127.18 **Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women (Peru);**[*]

127.19 **Continue to develop a national strategy, through the national authority to combat human trafficking, and, as part of that strategy, to ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (United Kingdom of Great Britain and Northern Ireland);**

127.20 **Adopt appropriate measures to abolish the death penalty (Togo);**

127.21 **Consider abolishing the death penalty (Mozambique);**

127.22 **Continue to take practical steps to expedite the abolition of the death penalty (Namibia);**

127.23 **Formally abolish the death penalty, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**

127.24 **Abolish the death penalty and consider withdrawing reservations submitted by Tunisia to the Second Optional Protocol to the International Covenant on Civil and Political Rights as announced by the Government (Austria);**

127.25 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);**

127.26 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);**

127.27 **Abolish capital punishment and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);**

127.28 **Abolish the death penalty in conformity with the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland);**

127.29 **Abolish the death penalty in its Constitution. Despite a de facto moratorium, people continue to be sentenced to death (Luxembourg);**

127.30 **Review its anti-terrorism law and Criminal Code to definitively abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Norway);**

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[*] The recommendation, as read out, was: "Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol)" (Peru).

127.31 **Decriminalize same-sex relations between consenting adults by repealing article 230 of the Criminal Code (Denmark);**

127.32 **Amend or repeal article 230 of the Criminal Code to end criminalization of same-sex sexual relations (Sweden);**

127.33 **Amend article 230 of the Criminal Code to end criminalization of same-sex sexual relations (United States of America);**

127.34 **Repeal article 230 of the Criminal Code criminalizing same-sex sexual relation (Belgium);**

127.35 **Abolish article 230 of the Criminal Code that criminalizes homosexuality (Netherlands);**

127.36 **Repeal article 230 of the Tunisian Criminal Code and eliminate discriminatory practices based on sexual orientation and gender identity, such as anal inspections (Canada);**

127.37 **Modify or repeal article 230 of the Criminal Code in order to decriminalize same-sex relations between consenting adults (Germany);**

127.38 **Repeal articles 230 and 230 of the Criminal Code to put an end to the criminalization of adultery and same-sex relationships, as well as to methods of collecting evidence that constitute a violation of the dignity and physical integrity of persons (France);**

127.39 **Derogate article 230 of the Criminal Code (Costa Rica);**

127.40 **Repeal article 230 of the Criminal Code (Ireland);**

127.41 **Repeal article 230 of the Criminal Code, which criminalizes same-sex relations between consenting adults and discontinue the practice of forced anal exams to prove homosexual behaviour (Norway);**

127.42 **Implement additional measures aimed at eliminating discrimination and violence based on sexual orientation (Brazil);**

127.43 **Eliminate all legislation that penalizes and criminalizes same sex relationships as well as all discriminatory legislation as a result of sexual orientation (Spain);**

127.44 **Repeal legislation criminalizing consensual sexual conduct between same-sex adults (Ireland);**

127.45 **Take steps to prevent the harassment or discrimination of lesbian, gay, bisexual, transgender and intersex persons and prosecute perpetrators (Ireland);**

127.46 **Take all necessary measures to prevent, investigate and prosecute violence against lesbian, gay, bisexual, transgender and intersex persons (Ireland);**

127.47 **Take immediate measures to derogate from norms that criminalize and stigmatize lesbian, gay, bisexual, transgender and intersex persons and investigate and sanction the perpetrators of acts of discrimination and violence against them (Argentina);**

127.48 **Introduce legislation to protect against discrimination based on sexual orientation, gender identity and intersex status (Australia);**

127.49 **Adopt legislative and policy measures to combat discrimination based on sexual orientation and gender identity (Chile).**

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[*] The recommendation, as read out, was: "Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities and discrimination based on sexual orientation and gender identity" (Chile).

127.50 **Address all sexual and gender based-violence and discrimination, especially against women, by reforming the Criminal Code and Personals Status Code to bring it into line with the Convention on the Elimination of All Forms of Discrimination against Women, including by criminalizing marital rape and abolishing provisions allowing a perpetrator of sexual violence to escape prosecution by marrying their victim (Finland);**

127.51 **Eliminate all forms of discrimination against women, including by amending the Personal Status Code to grant equal inheritance rights to women and by repealing the circular from 1973 to allow women to marry non-Muslim spouses (Germany);**

127.52 **Fully eliminate discrimination between women and men with regard to inheritance rights (Poland);**

127.53 **Improve gender equality both in legislation and practice, including by granting men and women equal property and family rights (Republic of Korea);**

127.54 **Ensure that the legislatica governing the military court system is explicit in ensuring that military courts only have jurisdiction over military personnel who have committed military offences, especially when such offences do not amount to human rights violations, and that no civilian cases are tried in the military court system (Botswana);**

127.55 **Adhere and adapt its national legislation to the Arms Trade Treaty (Guatemala).**

128. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[Original: English/French]

Composition of the delegation

The delegation of Tunisia was headed by S.E. M. Mehdi Ben Gharbia, Ministre chargé de la relation avec les Instances Constitutionnelles et la Société Civile et des Droits de l'Homme, and composed of the following members:

- S.E. M. Walid Doudech, Ambassadeur Représentant Permanent de Tunisie auprès de l'Office des Nations Unies a Genève et des Organisations Internationales en Suisse;
- M. Hatem Landoulsi, Directeur des Droits de l'Homme au Ministère des Affaires Étrangères;
- Mme. Intissar Ben Attitallah, Ministre plénipotentiaire, auprès Mission Permanente de la Tunisie a Genève;
- Mme. Sana Bouzaouache, représentante du Ministère charge de la Relation avec les Instances Constitutionnelles, le Société civile et des Droits de l'Homme, et rapporteuse de la Commission nationale de Coordination, Élaboration et Présentation des rapports dans le domaine des droits de l'homme;
- Mme. Faten Sebei, Magistrat, Chef de Groupe au Centre d'etudes juridiques et judiciaires, Ministère de la Justice;
- M. Houssem eddine El Triki, représentant du Ministère de la Justice;
- M. Adel Boudabouss, représentant du Ministère de la Défense Nationale;
- M. Meher Guadour, représentant du Ministère de l'Intérieur;
- M. Hamdi Khalfa, représentant du Ministère des Affaires Sociales.